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# Administration of *Public Welfare*

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SECOND EDITION

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## PREFACE

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Since the first edition of this book was brought out in 1940, important changes have occurred in public welfare organization and administration. At that time the new Federal Security Agency was in process of organization; now it includes all the major federal public welfare services except those performed by the Veterans' Administration and the Bureau of Prisons, and considerable integration has occurred. At the state level, it seems safe to observe, there is less integration than there was in 1940: public assistance, mental hygiene institutions, and correctional institutions tend to be organized into separate departments or divisions with almost complete autonomy. In most states, with respect to most services, the county, town, or city has important public welfare responsibilities, and at this level the trend seems to be toward greater integration of all services in a single agency. The main exception is found in public welfare services for veterans (often called "soldiers' relief").

From the first the author has made one major assumption about public welfare organization in this book, namely, that all public welfare services are interrelated and, unless specific and weighty reasons exist to the contrary, should be co-ordinated at each level of government both horizontally and vertically. The conduct of a number of surveys of local public welfare agencies during the last few years has strengthened this conviction.

By horizontal co-ordination is meant the drawing together of all welfare services into a single administrative unit at each level of government; the author believes that the federal services should be administered or supervised through a federal department of public welfare, that those at the state level should be administered or supervised by a single state department, and that local public welfare services should be administered through a single county department. Vertical co-ordination refers to the relations existing between levels of government, such as the county and the state and

often the federal government; several kinds of public welfare service are now financed partly by each of the three levels of government, and there is abundant evidence to support the opinion that better standards of service can be maintained if the federal and state governments supervise the local administration of public welfare services. If the federal government supervises a program or the state government supervises a service, that implies important responsibilities in the local public welfare agency for the actual administration of the program or service. This kind of organization assures the maintenance of democratic forms and processes in public welfare administration, while at the same time it tends to improve the quality of service.

Another type of change during the last decade is concerned with the quality of services. The function of case-work service is better understood, and there is much wider co-operation between public welfare departments and schools of social work for the training of both case workers and other personnel. Announcements of civil service or merit system examinations for public welfare positions of all grades are more often circulated outside the state in which the vacancies exist. This indicates a policy of finding qualified personnel wherever it can be found and foreshadows the end of the unintelligent provincialism which protects "the jobs for our boys."

An understanding of the function of research in the public welfare program is growing. At the annual round tables of the American Public Welfare Association for several years a program has been arranged for the discussion of the uses and methods of research. Such research as has been done tends to emphasize the superior value of trained personnel. Surveys which have included analysis of case records have revealed the wastefulness and crudities of untrained social workers directed by untrained supervisors.

The author owes a debt of gratitude to many public welfare workers and students of public welfare problems for ideas and viewpoints which they have contributed, but he could not undertake to list them here. However, he wishes to name a few persons who have furnished material or frequent counsel. No one writing on the subject of public welfare administration, and least of all the present author, could refrain from acknowledging his indebtedness to the late Professor Sophonisba P. Breckinridge, who brought together in a number of publications hundreds of documents which are indispensable to all those working in this field. For providing

valuable material used in this book the author wishes to thank Mr. L. W. A'Hearn, Director of Administrative Planning in the Federal Security Agency; Dr. C. L. Williams, Chief of the Bureau of State Services, United States Public Health Service; Mr. John C. Weigel, Administrative Assistant, Illinois Department of Public Welfare; Mr. Joseph E. Ragen, Superintendent of Prisons in Illinois; Dr. E. M. Dill, formerly Administrator of the Indiana Department of Public Welfare; Mr. Joseph L. Moss, Director of the Cook County, Illinois, Bureau of Public Welfare; and Mr. Henry J. Robison, Assistant Director of the Ohio Department of Public Welfare. To Mr. Charles B. Marshall, Administrative Assistant, Indiana Department of Public Welfare, thanks are due for the privilege of frequent consultation when this book was first written, and for providing up-to-date material on organization and administration for the present edition.

To Professor Kimball Young, editor of this series for the American Book Company, the author owes a continuing debt of gratitude for consultation and helpful criticism during the preparation of the original volume and the planning of the revision.

While the author has borrowed much from personal consultation and from the published writings of friendly counselors, he wishes to relieve them of any responsibility for the opinions and viewpoints expressed in this book. The author alone is responsible for what appears in the book.

*Western Reserve University*

R. CLYDE WHITE



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## ADMINISTRATION OF PUBLIC WELFARE



## CHAPTER I

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### INTRODUCTION: PUBLIC WELFARE WORK

---

Public welfare activities have appeared historically in response to the recognition of specific human needs. Legal provision for the relief of recognized kinds of distress or inadequacy is as old as the codes of Hammurabi and Moses, and some of the problems with which these ancient codes of law dealt are the objects of modern public welfare services. The amount and variety of special services comprehended by the term "public welfare" have increased greatly during the last fifty years. Some of the increase is only apparent, however, because differentiation of certain groups for particular attention has not so much increased the number of groups receiving service as it has emphasized them and made the public aware of them. That there has been an increase in the number of persons receiving public welfare services in recent decades can be shown by the statistical reports available, and the number has vastly increased since 1929. It is obvious that this kind of governmental activity has grown immensely and that its importance to the nation in terms of constructive service and cost warrants the best thought and most careful planning possible.

Needs have been more adequately recognized in this country in recent years than at any previous time. New public welfare legislation has been enacted, and extensive organization has been created to carry out the intent of the law. Public welfare administration has, consequently, become one of the major activities of federal, state, and local governments. In terms of expenditure it is exceeded only by the expenditure for education, and there were years during the recent depression when public welfare expenditures exceeded even those for education. The administration of the public welfare laws requires an organization suited to the purpose. Without satisfactory organization and administration the legal recognition of human needs is mere wishful thinking. The statutes prescribe the services

to be rendered and generally indicate in broad outline the organization which is deemed necessary to perform the services. Current knowledge of social work methods and general administrative procedure determines how the intent of the law will be realized within the organization. The functioning of a public welfare organization is, furthermore, limited or facilitated by the existence of general statutory law, constitutional provisions, and court decisions. In recent years many of the legal difficulties which hampered the operation of an adequate public welfare program have been removed by new legislation and by the more liberal attitude of the courts.

The term "public welfare" has a generic meaning when it is used to refer to the well-being of the members of the community, state, or nation, but in the technical usage of this book it is restricted to the "field of public tax-supported social work whether national, state, or local. From a functional point of view, it includes all governmental activities for the prevention and treatment of dependency, delinquency, crime, and handicaps either physical or mental."<sup>1</sup> In any locality or state, public welfare may include some or all of these classes of governmental activities. The organization differs among jurisdictions, and there is much variation in the kind and quality of administration, but the objectives are similar.

### SOCIAL OBJECTIVES OF PUBLIC WELFARE SERVICES

The social objectives of public welfare services can be defined best in terms of the actual services which are being rendered. These are constantly changing in detail and in quantity, but the principal services continue in different forms from one decade to another. Miss Breckinridge, one of the ablest students of public welfare administration, summarizes what she regards as the chief groups of the population which require public welfare services as follows: "There are, first, the groups of wards needing special services such as the mentally defective and diseased, including the so-called feeble-minded, epileptic, and insane; the physically handicapped—the deaf and hard of hearing, the blind, the crippled; the tuberculous; criminals and juvenile delinquents; dependent and neglected children; and the destitute, infirm, aged, or able-bodied and unemployed."<sup>2</sup>

<sup>1</sup> Fred K. Hoehler, article in *Social Work Year Book*, 1937, p. 387.

<sup>2</sup> Sophonisba P. Breckinridge, *Public Welfare Administration, Select Documents*, University of Chicago Press, 1935, p. xv.

To this list there should be added sick persons and children mal-adjusted in school. Special tax-supported services for all these people are commonly called public welfare services, and the following is a brief list of services to these population groups:

1. Insane and epileptic:
  - (1) Hospital treatment
  - (2) Outpatient clinic treatment
  - (3) Custodial care
  - (4) Case-work services
  - (5) Conditional discharge under supervision
2. Feeble-minded:
  - (1) Special education in an institution
  - (2) Custodial care
  - (3) Sterilization
  - (4) Conditional discharge under supervision
  - (5) Placement in employment
3. Physically handicapped (blind, crippled, deaf):
  - (1) Corrective treatment, outpatient or inpatient
  - (2) Special education
  - (3) Vocational rehabilitation
  - (4) Custodial care
  - (5) Case-work services
  - (6) Assistance to the blind
  - (7) Placement in employment
4. Tuberculous:
  - (1) Outpatient treatment
  - (2) Hospital treatment
  - (3) Case-work services
  - (4) Vocational rehabilitation
  - (5) Placement in employment
  - (6) Health education
5. Criminals and delinquents:
  - (1) Probation with case-work services
  - (2) Fine
  - (3) Suspended sentence
  - (4) Confinement in institution, penal or correctional
  - (5) Vocational training
  - (6) General education
  - (7) Parole with case-work services
  - (8) Placement in employment
  - (9) Preventive measures
6. Dependent and neglected children:
  - (1) Aid to dependent children



- (2) Case-work services
- (3) Foster-home care
- (4) Adoption
- (5) Institutional care
- (6) General education
- (7) Vocational training
- (8) Relief
- (9) Recreation
- (10) Placement in employment
- 7. Invalid (permanently incapacitated):
  - (1) Medical care
  - (2) Relief
  - (3) Custodial care
  - (4) Case-work services
- 8. Aged:
  - (1) Old-age assistance
  - (2) Relief
  - (3) Institutional care
  - (4) Medical care
  - (5) Case-work services
- 9. Able-bodied unemployed:
  - (1) Relief
  - (2) Work relief
  - (3) Medical care
  - (4) Case-work services
  - (5) Placement in employment
- 10. Sick:
  - (1) Clinic treatment
  - (2) Hospital care
  - (3) Home treatment
  - (4) Relief
  - (5) Case-work services
- 11. Maladjusted school children:
  - (1) Case-work services
  - (2) School relief

An examination of this list of services suggests a few general statements regarding the objectives of public welfare.<sup>1</sup> A patient may

<sup>1</sup> The beneficiaries of public welfare services are variously known as "patients," "clients," "prisoners," "offenders," "probationers," "parolees," etc. For the purpose of clarity in this book, the first two terms are used with the following meaning: "patient" refers to a beneficiary who is sick or otherwise incapacitated; "client" refers to a beneficiary in need of financial assistance or case-work services. The last four terms are rather specific and are generally understood without specific definition,

be restored to health and regain some part or all of his working capacity, or he may turn out to be a permanent invalid. The service is intended to restore as many as possible to self-maintenance in the community: this is a desirable objective from the viewpoint of both the patient and the community. An offender is one who has committed antisocial acts or, in the case of some juvenile delinquents, is likely to commit such acts, and the purpose of services to an offender is to curb criminal tendencies by some measure of punishment and by the reconstruction of behavior patterns through educational measures. During the period of treatment effort is made to develop or maintain his working capacity. The client may be either a child or an adult. In the case of the child the purpose of the service is to insure normal physical, mental, and social development so that he can take his place in the community as a citizen and as a productive worker. Presumably the adult has his mental and physical growth but may need some social adjustment. Hence the aim of the services to him is to maintain his working capacity, physical and mental, until he is reabsorbed in a productive occupation, and to bring about his sociopsychological adjustment. Services to the invalid and the aged are expressions of humane consideration or recognition of past services to the community, or both. There is no expectation that the individual will be an economic asset to the community. Therefore, we may say that the primary objective of public welfare services is to develop, restore, or maintain working capacity, to promote sociopsychological adjustment, to provide humane care of the incapacitated, and to establish facilities for the attainment of these ends, and in so doing to maintain a morale and a sense of security which are necessary for an orderly government.

The secondary objective of public welfare organization is to prevent the conditions which create the problems toward which services are directed. The means of accomplishing this purpose have not been developed to an important degree, and the interest of the public and the professional workers has for the most part been absorbed in the attainment of the primary objective. Considerable success has attended efforts to prevent communicable disease, but little has been done to prevent unemployment other than to create work-relief jobs. Little is known about the prevention of social problems. Hence, research is indispensable for the constructive work of

although it should be noted that it is not uncommon for a "probationer" or a "parolee" to be referred to as a "client" because he needs case-work services.

prevention, and it is almost, if not quite, as important in the performance of primary services to beneficiaries. The recognition of research within the public welfare agency as a means of attaining its objectives is a recent development, and the organization of administrative public welfare research is still in the experimental stage. Social research is probably not an objective of public welfare programs, but it is an important administrative aid in the formulation, determination, and execution of policies, and, where it is recognized as such, is set up as an administrative unit co-ordinate with the service units, which gives it the structural significance of a secondary objective.

### LEGISLATIVE FRAMEWORK

The contemporary conception of the objectives of public welfare services is defined by federal, state, and local legislation. Particular individuals and groups may have different conceptions of what the objectives should be, but they lack the influence to obtain official acceptance of their viewpoints. The definition of public welfare services adopted by a legislative body may be found by the courts to be in conflict with other statutes or with constitutional provisions, in which case the legislation may be declared invalid or the definition may be interpreted by the courts in such a way as to modify the intent of the legislature. But whatever is finally accepted by the courts is the law, and the legal framework within which the objectives of public welfare services can be pursued is determined.

**Conception of the General Welfare.** An examination of the public welfare law of a state reveals the legal conception of the relation of public welfare services to the general welfare. Besides the specific functions, powers, and duties conferred by law upon the Commissioner of Social Welfare of New York, he is given certain broad responsibilities:

" . . . He shall take cognizance of the interests of health and welfare of the inhabitants of the state who lack or are threatened with the deprivation of the necessities of life and of all matters pertaining thereto. . . . He shall make inquiry in respect of the causes of indigence and public assistance needed within the state, and of the number and needs of persons suffering or in want. He shall obtain, collect, and preserve such information in relation to unemployment, poverty, economic distress as may be useful in the discharge of his several duties or which may

contribute to the promotion of the social and economic security of the inhabitants of the state. . . ." <sup>1</sup>

Here is ample authority for the Commissioner to concern himself with the restoration of citizens to health or self-dependence and with the prevention of conditions which bring about dependency or social or economic inadequacy. A healthy population in which each individual has positive social and economic functions is conceived to be essential to the general welfare of the state. New York has made statutory provision for the medical inspection of all school children and requires all children to have medical certificates.<sup>2</sup> In connection with the care of mental patients the New York Psychiatric Institute is maintained, the objects of which are "conducting studies into the causes, nature, and treatment of diseases affecting the mind, brain, and nervous system, to discover and apply more efficient measures of prevention, treatment, and cure of such disorders, in order that their numbers shall be decreased."<sup>3</sup> Similar laws in New York and other states provide for efforts to prevent crime and to redirect the behavior of criminals.

Custodial care and repressive measures serve the general welfare in only limited ways. They are indispensable, however, because it is possible neither to prevent all dependency, illness, and crime nor to restore all dependents to self-dependence, all sick persons to health, and all offenders against the law to useful citizenship. Nevertheless, the statutory obligation to prevent and to restore is an important measure of the adequacy of the legislative framework of a public welfare system.

**Details of Organization.** It is customary in the best-drawn public welfare statutes to prescribe the general outlines of organization and then to give the welfare authority power to devise organization details to carry out its duties. The relations of public welfare organization to other departments of the state government are indicated in the law. There may be more than one state department with public welfare functions, as in New York, or only one comprehensive department, as in Virginia. If there is more than one department, then each department is responsible to the governor, and each one must organize its own field or local staffs. Under such circumstances in small states there is almost inevitable duplication of staff activ-

<sup>1</sup> New York *Laws of 1936*, chapter 873, art. 1-A, sec. 3-d.

<sup>2</sup> *Consolidated Laws of New York*, 1930, ch. 15, art. 20-a, secs. 570, 572-577.

<sup>3</sup> *Consolidated Laws of New York*, ch. 27, art. 9, sec. 200.

ities and, consequently, waste of public money. A simple provision in the law for a single state welfare agency and a delegation of broad powers to create a suitable internal organization probably constitute the best assurance that the state will have good organization.

Obviously the statute must prescribe the relation of the state welfare agency to local agencies. The relation may take one of three forms: co-operative, supervisory, or administrative. We have passed out of the period in which the state welfare agency had little or no relation to local agencies. A co-operative relationship means that the state agency has no defined obligations to the localities and that whatever co-ordination of effort occurs is won through negotiation by clever leadership. If the state agency is directed to "supervise" county agencies or institutions, it has power to make rules and regulations and to inspect with authority to give orders. The terms "supervisory" and "advisory" are often confused, but there should be no confusion. The right to supervise, as defined both in the dictionary and in court decisions, implies the power to regulate and to give orders; that is, the local agency would carry out the law as the law is interpreted by the state agency, and the state agency would have power to enforce its orders and regulations. On the other hand, if the relation of the state agency to the local agency is administrative, the local agency is simply a branch office of the state department: the state agency prescribes the details of organization, employs the staff, pays the salaries of the staff, and provides the services; the local agency is not an organic part of the county or city government; it is an organic part of the state government.

**Administrative Procedure.** The public welfare statute prescribes general matters of administrative procedure. Forms for records and reports are usually matters of discretion with the welfare authority, but matters which are to be recorded and reported may be specified in the law. These specifications, however, are usually quite general. The New York law states that "the commissioner shall enter in a book to be kept for that purpose the names of all persons cared for by him as state poor persons, with such particulars in reference to each as the state department of charities may prescribe." The only things prescribed here are a "book" and the "names of all persons cared for."<sup>1</sup> Application of the means test to applicants for assistance requires an investigation, and the kind of an investigation may be outlined in the law. Under the Social Security Act state

<sup>1</sup> *Consolidated Laws of New York*, ch. 42, art. 8, sec. 70.

public assistance laws must provide for a "fair hearing" for those whose applications are denied, and the statutes indicate the procedure for filing and hearing an appeal.

All states now have "civil service" or a "merit system" for selecting, appointing, and assuring tenure to some or all public welfare employees. Persons who participate in the administration of any of the services provided by the Federal Social Security Act, whether they are state or local government employees, must be selected under some kind of merit system. But many public welfare activities are supported entirely by the states or local governments, and often the employees of these strictly non-federal agencies are not appointed under any plan by which merit is determined and used as a condition of appointment. The legal existence of civil service or a merit system does not guarantee qualified employees. As late as 1948 the civil service law and procedure of Massachusetts, one of the first to be established in the country, instead of assuring qualified public welfare personnel, almost guaranteed incompetent personnel on the average, because educational qualifications could not be specified as a condition of admission to examination. This same lack exists in many other states.

If this condition is coupled with a high veterans' preference, the outlook for moderately efficient public welfare administration is very uncertain. Massachusetts and some other states have unrestricted, or almost unrestricted, veterans' preference in their laws, which is a more serious threat to good government than the spoils system, because such civil service provides tenure without merit.

The financial sections of public welfare statutes are more likely than personnel sections to indicate high standards and administrative procedure in detail with respect both to financing the budget and to managing the funds. The detail of financial records may be prescribed in the law, because it is in the handling of money that misgovernment is easiest and most tempting.

**Standards of Service.** Standards of service can be specified only in broad outlines. The standard of service in most respects ultimately depends upon the technical qualifications and general ability of the staff. The law might provide for the appointment of qualified case workers for the public assistance services, but the legislature would not undertake to outline case-work procedure. If the legislature is serious about having competent case-work services, it will make sure that proper methods for selecting personnel are written

into the law so that good case workers will be chosen, and it will leave the practice of case work to the case workers. The law may indicate that for certain services psychologists and certain types of physicians are to be appointed, but it is assumed that qualifications of physicians and psychologists are standardized. However, sometimes the law is more specific and states that physicians who have specialized in psychiatry and who have had a certain amount of experience in mental hospitals are to be chosen. In the laws relating to the blind the states have specified that ophthalmologists are to examine all blind persons and certify to the degree of blindness as a condition of receiving assistance. Thus the standards of service may to some extent be prescribed by defining the kinds of personnel that may be appointed.

But there are certain economic standards which may be definitely stated in the law. It is perhaps best not to do this too rigidly but to rely upon qualified personnel to make the decisions in each case. Some state laws provide that to aged or unemployed persons in need, funds sufficient to assure a minimum standard of living compatible with health and efficiency shall be provided. New York and Massachusetts have done this, and the result is that a few persons receive rather large monthly allowances but the average amount paid is not high. In many states, however, a maximum amount per month for an aged person, a blind person, or a dependent child is written into the law; this maximum is in every state almost certain to be inadequate for some particularly distressing cases. Some state administrations, such as those of Massachusetts and Ohio, have constructed carefully planned monthly budgets for persons requiring assistance. These budgets are usually determined by what is believed to be required to maintain physical health; but when it comes to applying the budget, the local administration, because of insufficient funds, may have to issue an order that only 80 per cent or 65 per cent of the standard budget can be paid. Economic standards of service can be specified in the law, but they cannot be carried out by even the best staff if the funds are insufficient.

**Partisan Political Interference.** If the legislature does not set well-defined limits to partisan political interference with the administration of public welfare, there will be no limits other than those fixed by the accident of circumstances. Public welfare administration has been an important item in state and local budgets for many

years. It grew in the decade of the 1930's until the amount of money involved exceeded the amount spent for public education. Political interest centers in purchases, contracts, and personnel, because everybody is interested in them. The public welfare organization is in the market for large quantities of consumable goods; it has huge construction contracts to let; it employs many thousands of people—managerial, professional, clerical, skilled and unskilled labor; it has resources available for use as assistance and other aids to thousands more who are in need. If the administration is to attain even a modicum of efficiency and a reasonably economical use of funds, the law must limit the free play of political interference. This is accomplished in a variety of ways by the different federal and state laws and local ordinances. Many states have policy-making public welfare boards, which may be appointed without reference to the political affiliations of the members—a nonpartisan board—or may be composed of members of two or more political parties—the bipartisan board. Theoretically the “nonpartisan board” would be ideal, because its members would be appointed solely because of their interest in the public welfare services, but since state and local administrations are elected by political parties, that is a counsel of perfection. The New Jersey board is an illustration of this type which has worked exceptionally well for over thirty years; this has been due largely to the fact that the members are appointed for overlapping terms of eight years, so that a majority of the board are not appointed during one governor's term. Bipartisan boards of odd numbers always have a majority of members representing the dominant party, unless the terms of the members are sufficiently long to prevent this situation, but they frankly represent the political organization. The members who represent the minority party are supposed to be a check on the use of public welfare funds and personnel for party purposes, and in general this type of board has been successful where able persons have been appointed. The statutory prohibition of political activity by employees of the public welfare agency reduces partisan interference, and the award of contracts on the basis of public bids tends to eliminate favoritism. The application of the principle of civil service to the selection, tenure, compensation, and promotion of personnel is the best device yet found for assuring a minimum of extraneous political interference. Most states have some protective measures for the award of contracts.



**Financial Provisions.** State public welfare laws, with rarely an exception, contain provisions for financing the services. Sometimes the provisions are rather weak. The law invariably authorizes or directs local poor-relief authorities to prepare a relief budget and directs the county commissioners, or similar tax-levying body, to levy sufficient taxes to meet relief requirements, but county commissioners do not always attempt to carry out the spirit of the law. A statute, or even the state constitution, may set relatively high economic standards of subsistence; but if the legislative body fails to levy sufficient taxes, the statutory provisions are merely an annoyance or a pious wish. The old-age assistance law of Colorado is a good example of shooting at the moon and hitting the mountain: an early Colorado law made \$45.00 a month a mandatory allowance if the individual had no income, but the legislature was unwilling to levy sufficient new taxes to pay this sum, and it has happened one year after another that California, with no such high maximum, has actually paid higher average allowances to the aged. Some states have levied special taxes for public welfare purposes. Illinois in the early years of the depression diverted some of the gasoline taxes to relief, and later the legislature enacted the so-called occupation tax—euphemism for sales tax!—which was in the original plan intended to finance relief, but it turned out that the legislature assigned only one third of the proceeds of this tax for relief purposes. Massachusetts has a 5 per cent tax on all meals costing a dollar or more, as one means of financing old-age assistance. The “earmarked” tax gives some assurance that funds will be available for the designated public welfare services, provided the tax brings in sufficient revenue; but if no other sources of funds are made available it may turn out that the special tax is quite inadequate, and then the public welfare services suffer. This need not happen if the legislature has competent technical advice and makes use of it—as witness the social-insurance “contributions” which are fixed by quasi-actuarial methods. However, benefit payments are related to contributions, whereas no such relationship exists in public assistance.

Many welfare laws provide for borrowing in the event that funds run short before the end of the fiscal period. This is an excellent device for assuring financial flexibility so long as the credit of the governmental unit is good. During the depression many governmental units reached the constitutional limits of their borrowing power, and this provision was useless after that point had been

reached. The tax levy should be made on the basis of the best possible estimate of needs, and then the borrowing power can be used for its proper purpose, which is to meet emergencies.

### ADMINISTRATIVE LAW

We have heard much about "administrative law" in this country in recent years. In its general meaning, "Administrative law deals with such matters as revenue, army and navy, colonies and dependencies, statistics, registration, naturalization and granting of charters, sanitation, poor laws, asylums, coinage, weights and measures, professions, trade, foreign commerce, public callings, prisons, maintenance of order, detection of crime, lighthouses, etc., and the promotion of the intellectual and moral welfare of the people."<sup>1</sup> It is a part of what is commonly called public law, and from Professor Willis's definition it is clear that the public welfare services belong to that branch of public law which he defines as administrative law. In so far as administrative law is made by legislative bodies there is nothing new in our recent experience, but it has proved impossible for legislatures to write the details of administration into statutes. Consequently, these bodies have tended more and more to define the functions to be performed and then to delegate rule-making power to the administrative agency for devising the machinery for accomplishing the purposes of the law. For example, the New York State Board of Social Welfare "shall make rules to govern the administration of public relief and welfare measures throughout the state, which said rules when embodied in the social welfare rules and regulations as hereafter provided shall have the force and effect of law."<sup>2</sup> Even when the rule-making power is delegated without the phrase, "force and effect of law," there seems to be little practical difference in the authority of the rules and regulations. In popular discussion "administrative law" usually refers to such delegated legislative power rather than to the more general concept used by Professor Willis, and it is this part of administrative law which is most controversial. There are dangers of irresponsible bureaucratic action, but the solution of the problem is not the abandonment of the legislative practice of delegating power to make rules but the provision of remedies for aggrieved parties,

<sup>1</sup> Hugh E. Willis, *Introduction to Anglo-American Law*, 1931, pp. 26, 27.

<sup>2</sup> *Consolidated Laws of New York*, ch. 42, art. 1-A, sec. 3-c.

## ADMINISTRATION OF PUBLIC WELFARE

ely, an appeal to a court of law. The rule-making power introduces a degree of flexibility into the administration of public welfare laws which cannot be otherwise attained.

Administrative rules and regulations are concerned not with the fundamental constitutional rights of persons, but with certain privileges created by statute. The "right to relief," as we shall see later, is a statutory privilege which is much less likely to be enforceable than the right of *habeas corpus*. A public assistance agency or a general relief agency makes rules for determining eligibility for relief. These rules are simply definitions of the terms of the law in specific fashion so that the case worker can identify the persons or families who are entitled to relief. Such a decision is adjudicatory in nature; the case worker reports that the applicant is or is not entitled to relief, as the rules are understood and applied by the case worker. "It is not unfair," says John Dickinson, "to regard administrative adjudication as primarily a step in carrying on the business of government. . . ." <sup>1</sup> Appeals from such administrative decisions have been taken to the courts and have been sustained; they are very common in workmen's compensation cases, and we have already seen an increasing number in unemployment compensation cases, but by far the majority of such cases will be uncontroverted, because the application of the rules by the administrative officer will be accepted. Decisions regarding applications for old-age assistance, aid to dependent children, and assistance to the blind are in the vast majority of cases accepted by the applicants without appeal to the courts. The body of rules and regulations thus built up in the course of administering the laws, together with the relevant statutes, becomes the body of administrative law relating to these public welfare services.

**Doctrine of Separation of Powers.** The respective powers of the legislature, the executive, and the courts are set forth in the federal constitution, and in the state constitutions. The legislative bodies make the laws, the executive branch of the government carries the laws into effect, and the courts determine questions which arise in connection with the constitutionality of statutes and the administrative application of the laws. The courts consider both the principle of law which has been applied and the specific facts to which the principle is deemed applicable. In the course of generations a great number and variety of decisions concerning the power of the

legislature or of the executive to act have been handed down, and what is commonly called the "doctrine of the separation of powers" has become firmly established. In its purest theoretical form this doctrine assumes that it is not only possible but desirable for each of the three branches of government to adhere strictly to its own field of operation; it is believed that only by maintaining a rigid separation of these functions can the fundamental rights of citizens be assured. The citizen is protected by the courts against arbitrary legislative or executive action. If the public wants changes made in the law or in administrative or court procedure, the legislature may make them, but courts will insist that the legislature must act always in accordance with constitutional requirements.

In practice the strict separation of powers has not been always observed. At times the legislature has laid executive duties upon the courts. Many states have named a county court as the agency, not only for determining eligibility of a child for mothers' aid, but for administering the aid. Courts grant probation to certain convicted offenders against the law, and in most states they supervise the probationer—although it would be regarded as extraordinary for the court to administer the prison to which it had committed an offender. In several states the courts administer the workmen's compensation laws. This encroachment of the courts upon the public welfare functions of the executive branch of government has received much less severe criticism from members of the bar and the press than has the assumption of quasi-judicial functions by the executive branch. Regulatory action of the executive branch has been attacked as a usurpation of judicial functions, but the public has not been aware that the courts have with legislative approval usurped certain executive functions which they are not equipped to perform efficiently. The exercise of executive functions by the courts is as serious a matter as the exercise of quasi-judicial functions by the executive branch, because the action of the courts cannot be questioned by the executive; only the legislature can alter the situation. But any action of an executive agency touching the rights of the citizen is subject to review by the courts. Consequently, any rule or regulation issued by an administrative agency can be attacked in the courts, and its application in a specific case can be attacked. Thus, the adjudicatory activities of an administrative agency are merely means of carrying on the business of government and are unquestionably quasi-judicial; they rarely have final author-

ity. It would seem, therefore, that the doctrine of separation of powers has in fact been observed so far as the executive branch is concerned but that it has been seriously and perhaps unwisely compromised with respect to the courts.

**Forms of Regulatory Action.** Regulatory action may take several forms. The terms used are often synonymous, and the precise meaning of each term must be determined from its context in the statute. Three terms are common: rules, regulations, and orders. The same statute will frequently use the phrase, "rules and regulations," and there seems to be no difference in the meaning of the two words. Generally it would seem that one of them would fully convey the intent of the legislature. An order, as a rule of action, is clearly different from the other two terms. "The words 'rule' and 'order,' when used in a statute, have a definite signification. They are different in their nature and extent. A rule, to be valid, must be general in scope and undiscriminating in its application. An order is specific and limited in its application. The function of an order relates more particularly to the execution or enforcement of a rule previously made."<sup>1</sup> Orders may be issued for any specific action, but the authority to carry out a class of such actions is contained in a general rule or regulation. An order is generally a step in the process of enforcing a rule.

**The Rule-Making Authority.** Who should possess the rule-making power in a public welfare department? That question is answered when the form of the state organization is decided upon. In states such as Indiana, New Jersey, and New York, where there is a board of public welfare, the board may have the rule-making power. These boards are policy-making and, as the highest public welfare authority, must be able to make rules and give orders in order to perform their duties. But the Illinois Board of Welfare Commissioners is an advisory body and does not possess the rule-making power; that is held by the Director of the Department of Public Welfare, who is the highest authority below the governor of the state. The eleemosynary institutions in Texas are under the State Board of Control, which has many other duties besides public welfare administration, but the board makes the rules and regulations to govern the institutions. The Texas board is a full-time administrative board, whereas the boards in Indiana, New Jersey, and New York are part-

<sup>1</sup> From *Words and Phrases*, First Series, Vol. 7, p. 6272, by permission of the copyright owner. West Publishing Co.

time policy-making boards but engage in administration only to the extent of making rules, general supervision, and appointing the chief executive officer.

The rule-making power in the new Department of Social Security in Minnesota is distributed among the directors of the three divisions of the department. Each director makes and promulgates rules for his division, but in connection with matters involving two or more divisions the rules are made and promulgated jointly by the directors of the divisions concerned. The three divisions are the Division of Public Institutions, the Division of Social Welfare, and the Division of Employment and Security. The Director of the Division of Social Welfare is chairman of the state Social Security Board, but he can make rules only for his own division of the department.

Some administrative bodies which have power to make rules and regulations are required by law to hold a public hearing before the promulgation of rules. When rules are adopted, they may be filed with the secretary of state as a formal condition of putting them into force. The Minnesota board is required to file rules with the secretary of state, if they affect large numbers of people, but apparently no public hearing is contemplated in advance. The public hearing and the filing with the secretary of state give more formality to the rules of an administrative agency, and both of these procedures may be desirable in the case of rules which affect large numbers of people.

**Appeals.** Most of the rules which are made by a public welfare agency will relate to administrative matters and will affect the public only indirectly, if at all. However, the application of rules of eligibility for public assistance now and then results in denial of assistance to somebody who thinks he is entitled to receive it. All of the state laws relating to old-age assistance, aid to dependent children, and assistance to the blind, where federal grants-in-aid are received, contain provisions for a "fair hearing." This is usually an appeal from the decision of the local agency to the state agency for a review of the applicant's request for assistance. Such appeals are not numerous at any one time, but over the period of a year they would amount to a considerable number in the more populous states. Some states have provided for appeals in connection with general relief. The administration of public assistance and general relief is hedged by many regulations, based upon the inter-

pretation of the statutes, and the applicant frequently feels that the law gives him a right to assistance which has been denied by the agency which applied the regulations in his case. Hence, he seeks a review of his application by a more disinterested authority, which is usually the state agency.

Some state public assistance laws are so drawn that an appeal may be taken to the courts. In such cases the appeal will have been made in the first instance to the administrative agency. If that agency upholds the denial of assistance made by the local agency, the applicant might then seek a remedy in a court of competent jurisdiction. Some states allow an appeal from the county relief authorities to the courts when general relief is denied. In the case of any form of assistance which is provided under a mandatory statute for a given class of persons the applicant might sue for a writ of mandamus directed to the administrative official who had denied his application, and this would in effect be an appeal to a court of law. In such cases the applicant would appeal on the basis of his belief that he was legally entitled to assistance but had been denied it through the application of the rules of the administrative agency.

In all cases where an individual is deprived of liberty he has the right of appeal to a higher court. Children charged with delinquency and committed to institutions or placed on probation by juvenile courts have a right to appeal to a higher court. The same principle holds in the case of persons committed to institutions for the insane, epileptic, or feeble-minded. Here, however, the appellant is seeking not material assistance, but his release from custody, and he has recourse to *habeas corpus* proceedings.

### PRINCIPLES OF ORGANIZATION

A public welfare statute not only stipulates services and indicates standards of service, but it also contains the principles of organization which guide the development of the program. A general public welfare law contains among many other things the following structural provisions: (1) The governmental jurisdiction which enacted the law automatically defines the major political division within which the law has effect, and the statute may specify the relation of certain political subdivisions to the organization; (2) the level of governmental organization at which public welfare responsibilities

and powers are integrated is either expressed or implied; (3) the power of the public welfare authorities to set up an integrated administrative system within the scope of the law is stated; (4) the relation of the organization and its activities to the courts is indicated; and (5) interdepartmental relations are specified or implied.

**Political Unit Affected.** The organization required under a federal law includes the entire country. All classes of persons named, within the conditions stated, are covered by the law. The organization may be national and disregard state, county, city, and township jurisdictions. The United States Bureau of Prisons is an example of this kind of organization. It operates the federal prisons, grants paroles, and supervises the parolees from these prisons. Except on a co-operative basis, the bureau has no relation to state governmental organization or to state penal administration. The organization of old-age assistance is different. It is a part of the Bureau of Public Assistance, federal Social Security Administration, but has no contact with the individual who receives service. This bureau provides funds to the states which have approved laws establishing old-age assistance, and it supervises the use of these funds. Prior to the middle of the year 1938 not all states were included in the old-age assistance organization, because some of them had not enacted satisfactory laws and set up acceptable state organization. This law offers a service under definite conditions; if a state fails to meet the conditions, it is excluded from the services available under the federal law and is not a part of the federal-state organization. Thus, a federal public welfare organization may include the entire nation, or it may include only those states which choose to be included, but under either condition the federal statute indicates the geographical scope of the organization.

States follow the same principle in adopting legislation to set up public welfare organization, unless limitations have previously been imposed by federal statute. The administration of prisons and parole from prisons is in most states a function of state organization. Counties and cities are disregarded. The law applies to the entire state, and the organization functions with respect to prisoners or paroled prisoners anywhere they are found. Another kind of organization is illustrated by the statutory provision for county homes for dependent children, when the law is permissive but not mandatory. Generally such institutions are subject to inspection and license by a state public welfare agency, but no county is required to establish



one. Organization for old-age assistance may be exclusively state, or it may be state-county, but if it is state-county it must be mandatory upon the county in order to qualify the state for federal reimbursement. The county must be in a position to provide the services which the statute says certain aged persons are entitled to receive; it must have an organized governmental unit which has the power and the resources to comply with the law. Thus, some kinds of state public welfare organization are limited by the authority exercised by a federal agency.

Legislative enactments of a county or a city apply to the whole of the county or city, and any public welfare organization created by such enactments is county-wide or city-wide in its scope. But existing statutes which involve the state government condition the county or city organization, just as federal statutes often condition state public welfare organizations. There are many things which a county or city may do for its citizens without regard to state public welfare laws, and organization to effect these services may be established at the discretion of the local legislative body.

**Locus of Welfare Authority.** Public welfare responsibilities and powers are centralized at some point in the governmental organization of the nation, the state, or the locality. The degree of co-ordination varies widely. Federal public welfare organization exists in several departments and boards, but the various activities are not co-ordinated at any level below the President, who obviously can know very little about the organization and activities of so many federal public welfare agencies. The Bureau of Public Assistance is responsible for the administration of aid to dependent children and reports to the Commissioner of Social Security, who reports to the Administrator of the Federal Security Agency, who in turn reports to the President. But the Bureau of Prisons, which administers the federal penal institutions and supervises federal parolees, is in the Department of Justice and reports to the Attorney General, who in turn reports to the President. Furthermore, some other important public welfare services are located elsewhere within the federal governmental organization. Federal public welfare functions and organizations are scattered and are in need of better integration. In many states the same lack of integration of public welfare activities is found. In Massachusetts and New York there are several public welfare agencies which are responsible directly to the governor. That is, integration of organization,

if it can be called such, is achieved through the governor who is at the top of the hierarchical organization of the executive branch of the state government. Other states have put substantially all of their welfare functions into a single state department whose director reports to the governor. Integration is achieved at a level below the governor. Examples of integrated and unintegrated county public welfare organization could be cited. There is no general agreement as to the degree of integration which is most desirable in state organization, but the trend in the last few years has been toward the

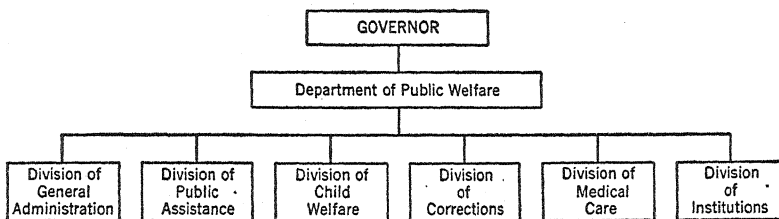


FIGURE 1. AN INTEGRATED STATE PUBLIC WELFARE ORGANIZATION

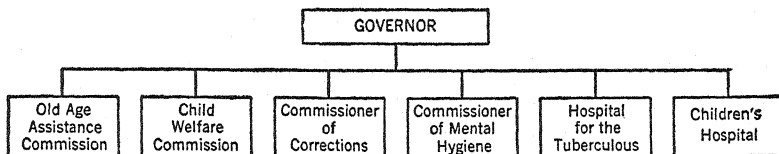


FIGURE 2. AN UNINTEGRATED STATE PUBLIC WELFARE ORGANIZATION

Ohio variety of complete integration at a level below the governor. In the county opinion is generally in favor of integration. The President's Committee on Reorganization of the Executive Branch of the Federal Government recommended integration of all welfare functions in a Department of Public Welfare,<sup>1</sup> and this has partially been achieved by the creation of the Federal Security Agency, July 1, 1939. An all-inclusive state or county department of public welfare is self-sufficient only with respect to the machinery for attaining its social welfare objectives. It has relations to other departments of government, such as auditing, purchasing, and selection of personnel, and it would be unwise to carry on these functions within the department of public welfare.

Figures 1 and 2 illustrate respectively the integrated and unintegrated types of state organization. Figure 1 illustrates the in-

<sup>1</sup> *Report of the President's Committee on Administrative Management*, 1937, pp. 31, 32.

tegration of public welfare functions through a department of public welfare which has at its head a director or administrator who should be a person of great administrative ability and long experience in public welfare administration. Figure 2 indicates lack of planned organization, where each administrative head must go to the governor with his problems. Under the first type of organization only one executive would ordinarily go to the governor, but under the second type of organization six executives would regularly go to him for consultation.

**Internal Organization.** The internal organization of a public welfare agency may be loosely or closely integrated. Agencies having all degrees of integration exist. The closely integrated agency is characterized by a smooth flow of work from one employee or administrative subdivision to another. This is achieved, first, by establishing the lines of authority and carefully instructing the staff, and, second, by preparation of flow charts for the guidance of the staff. A loosely integrated organization has flexibility, but it usually involves more or less confusion and much waste of time in conference for the purpose of allocating work and determining responsibility for specific tasks. Close integration is sometimes called "streamlining" the organization, and the trend for a number of years in both business and government has been toward greater integration along functional lines.<sup>1</sup> A good executive endowed with diplomatic talents of the first order and free to choose his staff can make almost any type of organization work reasonably well, but most executives are persons of good average ability who can do a creditable job with good organization but who would do a mediocre job with poor organization. It is, therefore, important that the best possible organization be set up. From the viewpoint of the number of persons affected and the amount of money spent, public welfare administration is big business, and the best organization is indispensable. It performs special services and requires various kinds of professional workers. Because of this fact internal organization will be determined in some respects by the nature of the services to be rendered, but in its major structural aspects it is not unlike that required for other governmental functions.

An integrated department of public welfare has a definite hierarchical organization which is illustrated in Figure 3. This chart

<sup>1</sup> See John M. Pfiffner, *Public Administration*, pp. 50-53. New York: The Ronald Press Co., 1935.

presents a type of organization known as line and staff. In state public welfare organization pure line or pure staff organization probably does not exist. Line activity is concerned with command and action, while a staff activity is advisory and investigative. Both types of activity are necessary in any large public welfare organization. The staff units, such as statistics, research, cost accounting, and public relations, will report directly to the chief executive officer. Theoretically they have no power to issue orders or to take action,

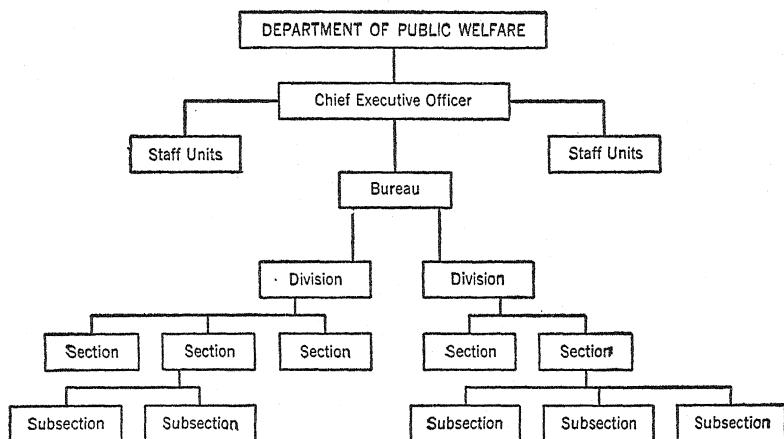


FIGURE 3. THE HIERARCHICAL ORGANIZATION OF A DEPARTMENT OF PUBLIC WELFARE

but actually authority of this type is often delegated to them. The bureaus represent organization for line activity, that is, for the purpose of performing the primary services for which the agency was established. However, a large bureau may require certain staff officers for its own purposes, and some bureaus may be concerned largely with staff functions. Pure line organization permits the tracing of authority from the highest officer to the lowest subordinate, but in a bureau such as the one indicated in Figure 3 it would probably be impossible for the chief of the bureau to know everything that happens in all of the subsections. He might have to set up a staff of his own whose duty it would be to study the work of the divisions, sections, and subsections and report to him as occasion requires. Pure line activity is found mainly in very small administrative units. The staff principle is utilized both for maintaining a tight organization and for assuring flexibility in an organization in which

great rigidity might easily develop. The "staff" group must be critical; it is not concerned with action primarily, and it should have no prejudices in favor of a type of organization or procedure just because it has been in use for a long time. Executives are men of action, and when they become familiar with a particular administrative organization they may be impatient with suggestions of change. But a department which has established a "bureau of criticism" is likely to make use of the work done, because—if for no other reason—money has been expended to assure continuing criticism. Thus, in an integrated department the structural hierarchy is clear, the lines of authority are unmistakable, and the interaction of line and staff activity gives vitality to it.

**Relations with Courts.** Public welfare administrative organization belongs to the executive branch of the government. It receives its authority from the legislative branch, and the interpretation of controversial issues which arise out of the administration of a public welfare law is ultimately a function of the judicial branch. Public welfare statutes usually contain sections which define specific occasions on which resort to the courts may be had either by the agency or by an aggrieved citizen. The statute names the courts which shall have jurisdiction in various types of cases, and it specifies, when necessary, whether the court may take action only on questions of law or may review the evidence and consider new facts. The establishment in the statutes of particular relations of the department of public welfare to the courts is an important part of organization. The department may have power to make rules and regulations which have the force and effect of law, but these may be contested in the courts to establish their conformity with the statutory authority granted. Local departments of public welfare have frequent resort to the courts in wardship and adoption proceedings, and they may seek court orders to enforce their actions. A vast body of law relating to crimes, persons, property, contracts, and torts exists outside of the public welfare statutes. It is of the greatest importance in public welfare administration, and the relations between court organization and public welfare administrative organization arise in connection with the application of this body of law.

**Interdepartmental Relations.** Any department of public welfare, whether federal, state, or local, has important relations with other executive departments. If the public welfare statutes are properly drawn, they set forth specifically the interdepartmental relations.

The state treasurer frequently acts as treasurer for the department of public welfare. The department is generally subject to audit—often both pre-audit and post-audit—by a department of the government established for the purpose. If the state or county has central purchasing of supplies and equipment, the department of public welfare has much business with the purchasing officer. In states with civil service laws application for personnel is made by the department of public welfare to the civil service authority, and the department will generally be called upon to furnish specifications for technical personnel when examinations are to be held. Interdepartmental relations do not always run smoothly. Some officials are jealous, inconsiderate, or ignorant. The harm which such persons can do is greatly reduced by clear definition of organizational relations. But with the best imaginable will to co-operate and with good personnel in all departments, administration is facilitated by full and accurate definition of interrelations. This may be achieved by means of handbooks or manuals, supplemented with whatever orders may be necessary from a superior authority. If organizational relations are set out unambiguously, the means of eliminating serious friction or misunderstanding can be found.

#### ADMINISTRATION

Public welfare administration is the art and science of those governmental activities which are directed toward the relief of distress, the care of dependent and neglected children, the treatment of criminals and delinquents, and the care and treatment of the mentally ill. It is public welfare organization in operation. Administration might also be thought of as the life processes of the public welfare structure. It is the application of knowledge and skill—accounting, case work, law, medicine, management, public relations, and statistics—to the solution or mitigation of the social problems of individuals and groups. Once legislation is adopted providing certain public welfare services and directing the appropriate authorities to set up an organization, administration has its beginning. It may be good administration or poor administration; that depends upon the knowledge, the ability, and the sincerity of purpose of those responsible for taking the first steps toward organization of a public welfare agency. Matters of major importance in administration are: (1) personnel—selection, classification, and management; (2) use

and management of funds; (3) communication; (4) records; (5) public relations; (6) professional services; and (7) planning.

**Personnel.** The services to be rendered and the type of organization determine the classes of personnel needed, and the nature and volume of work determine the number of employees of each class. Public welfare work requires a great variety of personnel. If the law requires the selection of employees on a merit basis through a civil service establishment or a special personnel agency, the problem is simplified for the executive. His problem is to specify the qualities needed in each class of personnel, and the personnel agency uses standard methods for selecting qualified persons from among the applicants. When vacancies occur, the same routine is followed. On the other hand, if the law fails to provide for the selection of personnel on the basis of merit, the executive, whatever his own inclination may be, is confronted with serious political difficulties, because party officials will bring pressure to bear to get their friends appointed to positions for which they may have little or no technical qualifications, and once appointed the employee thereafter serves two masters. An extraneous factor is introduced into public welfare administration, and the accomplishment of the intent of the law is jeopardized. Assuming that a good organization exists, the quality and efficiency of administration are conditioned by the suitability of personnel correctly placed in the organization. A state department requires executives and subexecutives, case workers, accountants, physicians, nurses, statisticians, lawyers, stenographers, clerks, machine operators, and various kinds of skilled and unskilled workers. Among case workers and physicians, for example, there are several groups of specialists. The executive must always be concerned with the number and kind of personnel necessary for carrying on the various activities of the organization.

**Finance.** Large sums of money are spent for public welfare services. The use and management of these funds are sometimes specified by law, but generally within the limits of the appropriation considerable discretion may be used. The appropriation may be in the form of a lump sum for a given service, or it may be itemized for specific purposes. The executive must first comply with the law, and this will require certain accounting records. After the means of assuring formal compliance are determined, there is much opportunity for the exercise of discretion in public welfare administration, because each case—the case of each potential beneficiary—has its own peculiar-

ities. Consequently, the kind and amount of service must be determined, and this determination fixes the probable costs. If the appropriation has been itemized in much detail, that may prevent rendering services to some eligible persons on account of the fact that before the end of the fiscal year the funds earmarked for that purpose are exhausted. This eventuality lays a responsibility upon the executive to make his budgetary estimates carefully and to secure, if possible, the power to transfer money from one budget item to another. Emergencies often arise after appropriations have been made, and the agency may have to seek borrowed funds in order to meet the situation. The best public welfare administration is often not that which has the lowest unit costs. The intent of the law is to perform certain services to eligible persons. If that service can be performed satisfactorily at low unit costs, that is a desirable objective, but the human values at stake should determine expenditures per case for financial assistance, professional services, and overhead costs. Thus, in the use of public welfare funds there is of necessity much discretion left to the executive, and the test of his financial administration will be the wisdom with which he uses this discretion.

**Communication.** Easy communication between administrative units makes for a smoothly running organization. If the lines of communication are understood by all employees, work flows through the organization evenly and without unnecessary interruptions. For example, if an application for old-age assistance is received by a state department which must give its approval, the application arrives in the mailing office, may be routed to the case-reviewing office, may then go to a case-work supervisor for final approval, may then go to the accounting office, then to the statistical office, and finally to the central file and be placed among the active cases. Formal notice of approval must then be sent to the local department so that payments can begin. There is no standardized flow of work for such a service as that suggested. The lines of communication may vary in a hundred ways, but the important thing is to have lines of communication determined according to some plan which facilitates the performance of the primary services. In small departments of public welfare the problem of communication is simple, but in most state departments and in large county or city departments it requires the frequent attention of an able executive.<sup>1</sup> "Stream-lining" the ad-

<sup>1</sup> The term "executive" is used here to refer to the chief executive officer of a department and to the heads of the major administrative units of the department.



ministration may become a fetish and occupy the thought and conversation of an executive so completely that the staff gains the impression that the organization exists not so much to perform services as to achieve some sort of mechanical perfection. Such a result is deadening. The purpose of the organization is to do something for and with people, and the amount of emphasis on "stream-lining" is a practical and technical problem. "Stream-lining" the administration is only one of the means of achieving primary objectives efficiently and satisfactorily. It is important but should be seen by the executive in its proper perspective.

**Records.** A record system adequate for the public welfare program is a subject of constant discussion in departments. Several kinds of records are kept: accounting, statistical, social-case, and medical records. Often the social and medical records are combined. Every specialist wants full records of his own contacts with patients and clients. Accountants and statisticians are quite like doctors, social workers, and lawyers in this respect. The data which go into the record should be determined on the principle of minimum necessity, not on the principle of maximum conceivable needs, because much of the overhead cost of public welfare administration at best is chargeable against record keeping. Records of long-time cases become bulky, and in the course of years large proportions of floor space are occupied by files in which are stored records which are seldom used. Adequate records are indispensable to carrying out the intent of the law and to good administrative procedure. They should contain sufficient information for service requirements, including statistical data for routine purposes. It is questionable how much information should be obtained for research purposes which are not directly related to administering the program. Research of a more than routine character is highly important, but perhaps sample studies at various times are more valuable and less expensive than complete and continuous analysis of a great variety of data which are not directly connected with administration. However, this is a question always open for discussion in departments of public welfare where provision is made for good accounting and statistical work.

**Public Relations.** Public relations are a never-ending concern of public welfare departments. The patients and clients, with their relatives and friends, constitute an important part of the public. The most effective public-relations activity is service to a patient or a client courteously and skillfully performed. But the taxpayers are

interested in knowing how so much of their money is being spent and for what good end. Consequently, a department of public welfare provides informational copy to the newspapers, arranges for radio addresses, sends members of the staff to address all kinds of interested groups, and holds public conferences. Presumably the public welfare authorities believe in their program and want to see it carried out as completely as possible. Consequently, they must build up public support for the program in order to obtain adequate funds. If there is widespread understanding of the work of the public welfare department, the staff can obtain in the localities a variety of forms of co-operation which aid performance of services. In recent years we have changed our conception of the phrase "public relations." It was first used by business organizations as a sugar-coated term for propaganda; but the more it has been used, and the more high-grade men have been drawn into the business of public relations, the less objectionable connotation the term has had. Obviously the material issued for publication by an agency will be written from its own viewpoint with its own interests clearly in the forefront, but the public has had enough experience now to distinguish between a patent misrepresentation and a merely biased report. There is little prejudice against frankly setting up a public relations office in a department of public welfare, and the fact is that, whether or not a separate administrative unit is formed and given the name, the function must be performed. It is a necessary adjunct to administration.

**Professional Services.** Public welfare services require what are known as professional services. It should be unnecessary to discuss this point separately, but the fact remains that it needs emphasis. A large part of the public still thinks that welfare services can be rendered by any person with average intelligence and good intentions, and party politicians often take advantage of an ignorant public by agreeing with it in order to create patronage. This observation has particular reference to professional social-work services. Doctors, lawyers, and accountants have established their functions fairly well in the minds of the public, but the public has difficulty in recognizing social work as a profession requiring special knowledge and skill. The attitude has changed markedly in recent years, and many state departments of public welfare now require the selection of social workers on the basis of examinations which cover such knowledge and familiarity with the requisite skills. All of the mechanics of administration are means to an end, which is the

giving of services to persons who need those services, by persons who are qualified to give them. Professional service is indispensable for the achievement of the primary objectives of public welfare work.

**Planning.** Planning requires organized thinking. It implies a comprehensive understanding of all the matters of major importance in public welfare administration, and insight into the interrelations of these matters as they fit together in an organized, going concern. But it is also concerned with objectives; planning for the immediate and long-time future of public welfare services requires knowledge of the social problems which should be solved or given palliative treatment. It involves consideration of the effect of a policy or an action today on the program next week, next month, or next year. Sound planning can be done only on the basis of a tenable social philosophy, adequate records, and broad knowledge of the facts in the records and in the community. It is one of the chief responsibilities of the executive. He puts himself into a position to plan by securing the advice of competent persons, by utilizing a research unit, and by keeping himself familiar with professional literature. Planning is essential to the orderly development of the public welfare program. Without it there is no assurance that satisfactory legislation will be adopted, sufficient funds provided, or the proper personnel found available.

### QUESTIONS

1. Make a list of public welfare services provided (1) in your county and (2) in your state.
2. What preventive public welfare services exist in your state?
3. What kind of organization is outlined in the basic public welfare legislation of your state?
4. How is personnel selected for public welfare agencies in your state?
5. What power to make rules and regulations do your state and county welfare departments have?
6. Make a diagram of the organization of your state welfare agency. Give only the major divisions or bureaus.
7. What records are kept by your county welfare department, and in what forms?
8. Discuss the function and methods of public welfare planning.

### SUPPLEMENTARY READING

Publications suggested for supplementary reading are shown in the Selected Bibliography printed at the end of the text. It should be consulted in connection with each chapter and each part of the text.

## PART ONE

# PUBLIC WELFARE ORGANIZATION



## CHAPTER II

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### PAST FORMS OF PUBLIC WELFARE ORGANIZATION

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Public welfare organization refers to the structure which is created by legislation or set up within the limits of authority granted by legislation for the purpose of carrying on public welfare activities. It is the design which is outlined in the law and completed by the executive. Changes in organization are brought about by changes in policy and by the necessities of administration. Major changes in policy are incorporated in the law, but less important variations may be effected through the rule-making power granted to the administrative authority. Organization and administration should not be confused. Organization may be synonymous with structure which is for a time, at least, static, or it may refer to that active phase of preparation for administering a law when we speak of "organizing" a department or division, that is, setting up a governmental structure for public welfare. Administration is activity. It includes all the activities, from copying dictation to rule-making, which are necessary to carry out the purposes of the law. There can be no administration without organization. Hence, in order to describe public welfare administration today it is necessary to know what kind of structures have been built for this work, and it is useful to know something about the kinds of public welfare organization which have existed in the United States in the past. This chapter is intended to give historical perspective to the student.<sup>1</sup>

It may appear that the old pauper laws which we borrowed from England differ so much from modern conceptions of public welfare that they do not belong in the same category. The basic principle of those laws was to provide a system of relief under which no deserving person would starve but each person receiving relief would find his

<sup>1</sup> Obviously this chapter cannot be regarded as "the history of public welfare organization." That should be the subject for a separate course in the school of social work.

condition so undesirable that he would escape from it as soon as possible. This is known as the principle of "less eligibility." Modern public welfare assumes that adequacy of relief or other care should be the criterion of services; but the fact remains that the public welfare services of today have developed out of the old Poor Law of England. The improvement in social ethics and technical knowledge through the centuries, accompanied by the abandonment of outmoded principles, has made possible the present conceptions upon which our public welfare systems are founded. An important departure in public welfare organization was made when boards or commissions of "charities and corrections" were established in the last century. They may seem primitive and naïve to us, but they were the immediate precursors of modern public welfare organization, and their activities provided indispensable experience which moved in the direction of the present organization and administration. For this reason the services maintained under the Poor Law and the boards of charities and corrections are commonly regarded as public welfare services.

The history of public welfare is a history of changing forms, procedure, and ideas. For convenience certain periods may be indicated which roughly mark the time of important changes. The following periods are identified for the purposes of this chapter: (1) colonial times; (2) the period of 1787 to 1863; (3) the period of 1863 to 1917; and (4) the period of 1917 to 1949. The terminals of these periods should not be called "times of transition." Transition is a continuous process, and these dates simply indicate points at which so much change had occurred with respect to ideas of organization and administration that important new laws were enacted and perhaps old ones were repealed.<sup>1</sup>

### THE GOVERNMENTAL UNIT RESPONSIBLE FOR PUBLIC WELFARE

The governmental unit which has been made responsible for the administration of public welfare work differs with the kind of service and the historical period. In the colonies the units which divided responsibility were the colony, the county, the parish, the township, and the town. Since the United States became a nation the units

<sup>1</sup> For documentary records of these changes see Sophonisba P. Breckinridge, *Public Welfare Administration, Select Documents*, 1938; and Grace Abbott, *The Child and the State*, 2 vols., 1938.

have been the township, the town, the city, the county, the state, and the federal government. A service which at one time was performed by the township or county may have become a state or a federal function at a later date. Throughout the history of the nation the trend has been toward more responsibility on the part of the state and the federal governments.

**Colonial Times.** Many settlements in the colonies found it necessary to provide some form of public relief before the colonial legislative bodies enacted general statutes. The colonists drew upon their knowledge of poor-law administration in England and proceeded to meet the requirements of each situation as it arose. Dr. Margaret Creech, writing of early Rhode Island, says, "While no provision for common methods of caring for the destitute was made for several years after the first settlements in Rhode Island, a study of individual town records shows, in the few cases included, no divergence between the methods used after the formal adoption of the Elizabethan Poor Law and the previous informal carrying on of traditions of poor relief brought from England by the colonists."<sup>1</sup> Town governments were set up before the colonial charter was received, and when a colonial government was organized, the towns delegated as few of their powers and prerogatives as possible. The first session of the colonial legislature in 1647 did little more than to announce that the Elizabethan Poor Law was assumed to be in force, and local responsibility was recognized by the colony.<sup>2</sup> The town overseer of the poor was elected along with other town officers. His powers and duties were assumed to be those of corresponding officials in England: he could collect taxes levied for poor relief, and could "distrain the goods of any who refused to pay."<sup>3</sup> After a few years the town authorities became a little more doubtful about their procedure, and in 1687 they asked the General Assembly of the colony how money should be raised for poor relief.<sup>4</sup> This request brought authorization from the General Assembly for the town to levy taxes on real property for the financing of poor relief, as was the practice in England. The town thus received formal authority from the colonial legislature to finance and administer poor relief. Probably the earliest instance of financial aid by the colony to the town in Rhode Island occurred during the Revolution: the General Assembly, in 1775, voted a subsidy to the town of Newport as a contribu-

<sup>1</sup> Margaret Creech, *Three Centuries of Poor Law Administration*, University of Chicago Press, 1936, p. xiv.

<sup>2</sup> *Ibid.*, p. 8.

<sup>3</sup> *Ibid.*, p. 11.

<sup>4</sup> *Ibid.*



tion toward paying the costs of the additional burden of poor relief incidental to the war.<sup>1</sup>

The prevalence of local responsibility for relief of needy persons was found also in New York but was organized in a manner differing somewhat from the practice in Rhode Island and other New England colonies. In the Dutch period relief seems to have been provided largely through the churches and without governmental participation. During the remainder of the century, after the English took possession of New York in 1664, poor-relief agencies were in process of establishment. The local authorities were slow to admit that there were poor persons in need of assistance, and efforts were made by one authority to shift the burden to another. Thus, in 1688 the Common Council of New York City urged the aldermen to inquire about persons in their several wards who were in need of relief and directed that the mayor should give relief to those on the lists presented by the aldermen. This proved to be an unpopular ordinance and was amended within a short time to provide that the aldermen should provide relief for the poor of their own wards. The foregoing activity was stimulated by the governor of the province. It appears that plans for the election of overseers of the poor had to be authorized by the colonial governor and that he might check up on the local authorities to determine how well the approved plans had been carried out. In 1695, because of acute distress in New York City, the provincial assembly adopted a special act for the provision of poor relief there. This statute authorized the Common Council to appoint overseers of the poor. A little later, in Queen Anne's reign, responsibility for relief was shifted to the church, and the Anglican Church was given a preferred position: the vestrymen were to levy the poor rate and supervise its collection. It was the duty of the churchwardens to distribute the poor funds to the needy. Poor children were commonly apprenticed to persons who agreed with the poor-relief authorities to care for the children and to teach them trades. The care of the physically and mentally handicapped rarely differed from that given to the poor but able-bodied persons. Insane persons who showed violence were confined in jails on order of the local authorities.<sup>2</sup>

Provision for the care of needy persons, regardless of the nature of

<sup>1</sup> *Ibid.*, p. 34.

<sup>2</sup> Information in this paragraph is from "Relief in Provincial New York, 1664-1775," by David M. Schneider, in the *Social Service Review*, September, 1938, pp. 464-494.

the cause of need, in each colony was the function of the all-inclusive poor law and the authorities created to administer it. Criminals alone among wards of the town or colony received treatment outside the poor law, and this treatment was usually severe and vindictive. The unemployed, the sick, the physically handicapped, the insane, the feeble-minded, and the aged who could not take care of themselves or who had no relatives legally responsible for their care, were "poor persons" in the eyes of the law. Treatment consisted of physical maintenance, supplemented occasionally by such limited medical attention as could be provided. Care might be given as outdoor relief, in an almshouse, or in the home of a family that agreed to take the poor person for a stipulated amount per month or year. The workhouse was available in many cities for those suspected of being "work shy." The powers of the local authorities were derived partly from tradition and partly from statutory enactments of the colonial legislatures.

**Period of 1787 to 1863.** The Constitution of the United States, as adopted by the Convention in 1787, contained no provision for such special governmental services as are now called public welfare services. The phrase, "provide for the . . . general welfare," (Art. I, Sec. 8) was vague and general. It was not until very recently that a national administration has seen fit to attempt to give this phrase specific application and to propose legislation on the authority of it. However, in the same section of the Constitution Congress is given power "to provide for the punishment of counterfeiting the securities and current coin of the United States," and "to define and punish piracies and felonies committed on the high seas, and offenses against the law of nations," and "to make all laws which shall be necessary and proper for carrying into execution" all the powers granted by the Constitution. The power to fix and impose punishments implies the facilities for carrying out the judgments of courts or other agencies authorized to execute sentences. These provisions of the Constitution necessitated the creation of some organization for penal administration within the federal machinery of government. Congress enacted many laws soon after its creation, for the violation of which penalties were stipulated. A federal prison problem arose almost immediately, and the national government undertook its first venture in public welfare organization which took the form of care of prisoners. The tenth amendment to the Constitution, which became effective in 1791, reserved to the

states all powers which had not been delegated by the Constitution to the United States and had not been prohibited to the states. Obviously, power to set up most of the public welfare services is among those reserved to the states. Although Congress extended the public welfare organization of the federal government somewhat before the end of the nineteenth century, the chief development occurred in state and local organization.

In the first half of the nineteenth century efforts were made by certain members of Congress to induce the federal government to grant public lands for institutions devoted to the care of the deaf and dumb and the insane.<sup>1</sup> A bill was passed March 3, 1819, authorizing a grant of six sections of the public lands to the Connecticut Asylum for the Deaf and Dumb, located at Hartford. The federal government set up no administrative machinery as a result of this enactment; it simply made a donation to the institution on the ground that the asylum was serving children from a number of states besides Connecticut and therefore presented an interstate problem with which Congress could reasonably be concerned. When a similar bill, to grant a township of land, was introduced a few months later in the interest of the New York Deaf and Dumb Asylum, a member of Congress from New York, speaking in support of the bill, felt constrained to distinguish the function of this institution from ordinary charity and to add that "It is, perhaps, not a province of this Government to give alms."<sup>2</sup> The claims of the asylum were put forward on the assumption that it was an educational institution; but the bill was not passed. A few years later a grant of land for similar purposes was made to the Deaf and Dumb Asylum of Kentucky.

In 1854, however, an act granting 10,000,000 acres of land to the several states as an endowment for the care of the insane was vetoed by President Pierce on the ground that the act exceeded the powers given to the federal government by the Constitution. Dorothea Dix had made an extensive survey of the conditions under which the insane are forced to live in many states and had made a convincing report to Congress. A bill was drafted and passed. The "general welfare" clause of Section 8, Article I, of the Constitution had been invoked as a basis of authority for enacting the measure, but the

<sup>1</sup> See Breckinridge, *op. cit.*, pp. 172-234, edition of 1938, for summaries of reports to and debates in Congress on the bills introduced for this purpose. All citations of this work in this and later chapters are to the edition of 1938.

<sup>2</sup> *Ibid.*, p. 175.

President interpreted this clause in the Constitution to be a limitation on the powers of Congress instead of a grant of undefined powers of legislation. "It cannot be questioned," wrote the President in his veto message, "that if Congress have power to make provision for the indigent insane without the limits of this District [District of Columbia], it has the same power to provide for the indigent who are not insane; and thus to transfer to the Federal Government the charge of all poor in all the States. It has the same power to provide hospitals and other local establishments for the care and cure of every species of human infirmity, and thus to assume all that duty of either public philanthropy or public necessity to the dependent, the orphan, the sick, or the needy, which is now discharged by the states themselves, or by corporate institutions, or private endowments existing under the legislation of the States."<sup>1</sup> President Pierce's argument that Congress does not have such powers appeared so convincing to future Congresses that it effectively squelched most important social legislation by the federal government for two generations. The vetoed act would have provided for administration by the Department of the Interior and for distributing funds for care of the insane to the states in proportion to their population and their representation in the Congress. By 1939 the federal government was doing everything which President Pierce said it had no power to do, and a number of other things besides.

As the current theory of the division of powers between the federal and state governments prevented the enactment of federal public welfare legislation during the first half of the nineteenth century, the necessities of the states led them to make use of those powers which by common consent had been reserved to them by the Constitution. In the early years of the Republic the states had continued to carry on the welfare activities which had been theirs during the colonial period, and new states adopted measures similar to those in force in the older states. Some sort of care had to be provided for the poor, the indigent sick, the insane, and criminals. Protection of society may have been the dominant motive, but there seems to have been considerable activity which was motivated by a desire to relieve distress, if not to provide constructive service.

Miss Creech points out that in 1785 a committee was at work in Rhode Island collecting and codifying the laws of the state. It was

<sup>1</sup> From the veto message of President Pierce. Quoted by Breckinridge, *op. cit.*, p. 223.

instructed not only to collect existing laws in Rhode Island but also to examine all the English statutes and recommend changes to the General Assembly. In 1798 the several acts relating to the poor were assembled under the title of "An Act Providing for the Relief, Support, Employment, and Removal of the Poor" and adopted as the basic statute relating to the poor.<sup>1</sup> This act was revised in 1844 and again in 1857. Local responsibility was established by the law, and a rule was made as to what relatives could be held responsible for the care of their kinsmen. Almshouses and workhouses were established by the overseers of the poor, but in them the treatment of the poor and that of petty criminals were indistinguishable. Persons without legal settlement in a town could be supported by the state, although no means of carrying out this provision of the law was set up. State aid was formally discontinued in 1800, although there is some evidence that sporadic state relief was given,<sup>2</sup> and the individual into whose custody a pauper was given presented his bills directly to the General Assembly for approval and authorization of payment out of state funds. An amendment to the poor law which became effective in 1852 authorized any citizen to complain of the treatment given a poor person, if in his judgment the poor person was not receiving proper care, and the case might be heard by the supreme court, which could fix responsibility for paying the cost of relief.

When Indiana was admitted to the Union as a state in 1816, its constitution gave authority to the General Assembly to provide for the care of the poor. There had been overseers of the poor in territorial days, appointed by the courts of common pleas, and these officers continued to function. They were township officers. But an act of the General Assembly in 1818 authorized the county commissioners to appoint some suitable person to deal with the overseers of the poor and to compensate them for their services. In 1821 the General Assembly authorized the commissioners of Knox County to erect an almshouse, and in 1831, the experience of Knox County having met with general favor, the act was extended to include all counties. Most of the poor asylums were run on the contract system: the superintendent paid rent to the county for the farm and was paid a per diem allowance for each inmate. Few records were kept. The poor asylum became the residence of the indigent sick, the feeble-minded, the mildly insane, the crippled, and the

<sup>1</sup> Creech, *Three Centuries of Poor Law Administration*, 1936, p. 111.

<sup>2</sup> *Ibid.*, pp. 116, 117.

able-bodied poor—men, women, and children. Children of paupers might be bound out as apprentices by the county commissioners.<sup>1</sup>

State governments delegated responsibility for the care of the indigent to the counties or other local political subdivisions, but very early they began to assume the obligation of caring for certain groups of distressed persons. As indicated above, the federal government had declined to become involved with the care of the deaf, dumb, blind, and insane, except in a few instances to make small grants of land. The states gradually established special institutions for these classes, and they were administered by the state governments. The colony of Virginia authorized the first institution for the insane, comparable to a state hospital, on this continent in 1769 and opened the institution in 1773 at Williamsburg. It has continued as a state hospital. A state hospital for the insane and an institution for the deaf and dumb were authorized by the Kentucky legislature in 1822; but the institution for the deaf and dumb was to be supported from private donations. The administrative organization for the Massachusetts hospital for the insane at Worcester was set forth in an act of the legislature in 1834. Provisions for administrative control of these early state institutions varied considerably, but "There was generally an unsalaried, separate board of 'directors' or of 'trustees' or of 'control' set, for each institution. The numbers constituting the board varied as the term varied; for the term of office was generally so arranged that the board was never wholly renewed at one time and the theory was that it should not be renewed during any one administration."<sup>2</sup> The boards were appointed by the governor, sometimes subject to confirmation by the state senate. The purpose of these arrangements was to reduce the danger of partisan political interference and to secure continuity of policy.

The humanitarian movement in England and the colonies during the eighteenth century had produced, as one of its results, new theories concerning the objects and methods of punishment of convicted offenders against the law. The philosophical teachings of Rousseau and Voltaire first bore fruit in the field of penology in the theories of Beccaria in Italy and a generation later in the efforts of Franklin, Jefferson, and the Quakers to rationalize the punishment of criminals. The idea that punishment should be so planned as to

<sup>1</sup> Alice Shafer, Mary Wysor Keefer, and S. P. Breckinridge, *The Indiana Poor Law*, chs. IV-VI. Chicago: University of Chicago Press, 1936.

<sup>2</sup> Breckinridge, *op. cit.*, p. 69.

reform the offender became firmly implanted during the first two decades of the American Republic. The first legislative acceptance of the new penology was reflected in the reduction in the number of offenses requiring capital punishment. By 1796 Pennsylvania had limited capital punishment to persons guilty of first degree murder. Kentucky followed with similar action in 1798. The humanizing of punishment created a new problem for government. Prison sentences were long. This meant that gradually a large number of convicted offenders would require care. A solution was found in the establishment of prisons. Local jails served for this purpose at first. The Pennsylvania legislature authorized a new building at the Walnut Street jail, Philadelphia, in 1790 and stipulated that the jail authorities should receive prisoners from other counties. During the next twenty years state prisons were erected in New York, Massachusetts, Maryland, Virginia, Kentucky, and Vermont. "The penitentiary and its associated institutions were as legitimate offspring of the age as the young democracies themselves. These developments were alike manifestations of the current belief in the free will of the rational man, they shared the same optimism for the future of the race, and they were animated by similar romantic ideals. Europe justly paid honor to the Americans for having established the first genuine penal system in the modern world—an achievement which was in large part due to the zeal of Louis Dwight and to his practical skill in fusing righteous impulses, a program of industry, and a rigid discipline into a cheap but secure structural pattern."<sup>1</sup>

The advances in penal administrative organization during the first half of the nineteenth century occurred at the state level. The federal government boarded its prisoners out in the various state and local prisons. The local jail, although the oldest and most common penal institution, remained inadequate and politically corrupt, and it retains this unenviable reputation to this day. Before the middle of the nineteenth century reform schools for juveniles were established in New York, Philadelphia, and Boston. The New York House of Refuge was founded in 1825 by private efforts, but from the start it received some funds from the city and the state. By 1830 it was supported entirely out of public appropriations and is

<sup>1</sup> Blake McKelvey, *American Prisons, A Study in American Social History Prior to 1915*, University of Chicago Press, 1936, p. 21. See Chapter I of McKelvey's work for a succinct summary of the early history of American prison development.

regarded by McKelvey as "the first public reform school of modern times."<sup>1</sup> However, the first public institution for delinquent boys created *de novo* by legislative enactment and administered by a state seems to have been the Massachusetts institution at Westborough (now Westboro) in 1846.<sup>2</sup>

**Period of 1863 to 1917.** During the last half of the nineteenth century and the first few years of the twentieth century state institutions for other special groups were slowly established, and toward the end of this period the federal government began the establishment of its own prison system. But the most important change in public welfare organization was in the direction of co-ordination at the state level. The first state to move in this direction was Massachusetts. Its legislature, the General Court, created the Massachusetts Board of State Charities on April 29, 1863.<sup>3</sup> The organization set forth in this act became the prototype for similar legislation during the next ten years in many other states, among which may be mentioned, in the order named, the following: Ohio, New York, Illinois, North Carolina, Pennsylvania, Rhode Island, Wisconsin, Michigan, Kansas, and Connecticut.<sup>4</sup>

The Massachusetts Board of State Charities consisted of five persons, together with the secretary and the general agent, appointed by the governor with the advice and consent of the council. The secretary and the general agent were full-time employees of the state, but the other members of the board served without compensation except that they were entitled to receive reimbursement for necessary traveling expenses. The offices of the board were in the Statehouse. It was the duty of the board to investigate and supervise the entire system of charitable and correctional institutions and to recommend changes in the interest of economy and efficiency. It had power to transfer inmates from one institution to another and to exercise control over admissions and discharges. The secretary and the general agent seem to have been co-ordinate in authority, but there was a definite division of labor. The secretary kept the records of the board and examined the returns of cities and towns regarding paupers, births, deaths, and marriages. He was expected to send out questionnaires to the institutions in an attempt to dis-

<sup>1</sup> *Ibid.*, p. 14.

<sup>2</sup> Breckinridge, *op. cit.*, pp. 113-118.

<sup>3</sup> "An Act in Relation to State Charitable and Correctional Institutions, April 29, 1863." Reprinted in Breckinridge, *op. cit.*, pp. 247-249.

<sup>4</sup> Breckinridge, *op. cit.*, pp. 259-291.



cover the causes "of pauperism, crime, disease, and insanity." The annual report contained an analysis of these returns. The secretary might propose in this report any general investigation which seemed to him necessary. While this last duty was tucked away in a phrase of Section 3 of the act, it actually became one of the most important means of maintaining and improving standards of service not only in Massachusetts but in other states with similar boards. The general agent was responsible for the "out-door business" of the board, such matters as determination of legal settlement of paupers and insane persons, prosecution of settlement and bastardy cases, and performance of the duties hitherto performed by the superintendent "of alien passengers" for the city of Boston. Eleven institutions were under the control of the state, and six others were partially controlled by or received aid from the state. "Supervision" in this law implied only limited control by the board of state charities; its effectiveness depended upon intelligent, sympathetic observation of the work which went on and the right to report considered opinions to the governor. The board was certainly not "administering" the institutions in our contemporary sense of the term.

Many other states soon followed Massachusetts in setting up systems of charities and corrections, and before 1917 all except a very few states had some kind of state boards of charities and corrections. Most states followed the plan of Massachusetts, but others, seeing the advantage of the limited co-ordination achieved by means of power to make investigations and to require reports, recognized that further control was necessary to attain the objectives envisioned by the proponents of the Massachusetts law. The innovations in Kansas and Wisconsin will serve to illustrate this next step toward co-ordination of public welfare services at the state level.

In 1873 the Kansas legislature created a single Board of Trustees for the three charitable institutions of the state. This board replaced three separate boards of trustees. Later new institutions were established, and by the end of the century the central board had eight institutions under its control. The board had power to make rules and regulations, select and appoint all institutional personnel, purchase supplies, and make repairs or additions to the physical plant of the institutions. In its eleventh biennial report in 1898 the board compliments itself for recent improvements made under its administration and declares "that it is the fixed opinion of this board that Kansas people are eminently qualified to take care of Kansas in-

stitutions, and acting upon this conviction we have not found it necessary to go outside the state for a single officer.”<sup>1</sup> The diction and tone of this declaration of the gentlemen of the board suggests that they may have been recently appointed by a new state administration and were not too sure of themselves! The law gave the Kansas board full control, but it set up no satisfactory conditions for the selection of personnel and the assurance of tenure.

A similar board in Wisconsin was known as the State Board of Control. A report of this board in 1900 contains the text of an order, issued in 1898, for control of the selection and tenure of all personnel. Civil service methods, as they are used today in Wisconsin, were not prescribed, but systematic procedure was outlined. The Wisconsin board was responsible not only for the control and supervision of the state reformatory and charitable and penal institutions but also for exercising a considerable measure of supervision over the county asylums for the chronic insane. Methods of accounting and reporting were prescribed for the county asylums. Because the county institutions received financial support from the state, the board could “request” the adoption of certain policies and methods of procedure, and these “requests” had the force of orders from the board. Thus, before the end of the century integration of public welfare institutional administration in Wisconsin was carried a step further than it had been in Massachusetts and Kansas.

The movement toward central control of state institutions was accompanied by vigorous controversy. In Kansas, Wisconsin, and some other states control extended to administrative detail. The wisdom of this was questioned. By many it was believed that matters of routine administration could be handled best by the local staff and board of trustees who were in a position to know the specific problems of the institution. State committees on efficiency and economy were being appointed by legislatures. The reports of these committees invariably recommended central control, but they emphasized especially control of purchasing and accounting. The necessity of complete centralization was questioned by such fiscal experts as Henry C. Wright, and the Massachusetts Board of State Charities attacked the report of the Massachusetts Commission on Economy and Efficiency which was presented to the House of Representatives in 1914. The Massachusetts board had some supervisory responsibility for poor relief, determination of legal settlement, and

<sup>1</sup> Quoted by Breckinridge, *op. cit.*, p. 339.

the licensing of children's institutions and maternity hospitals in addition to its duty of supervising state institutions. The question at issue was the extent to which the central office should control. There was general agreement that policy making and planning were proper functions of a central authority. The practical problem involved was to draw a line between administrative routine which had little, if any, bearing on the determination of policy and administrative matters which because of their close relation to the policy-making function should be centralized. There is no final solution of this problem. The answers to the questions regarding it are always *ad hoc*, and changing circumstances in the public welfare field necessitate rephrasing the questions which require different answers. Nevertheless, the observer must be impressed by the fact that the movement toward integration of state public welfare functions and administration which became important during the third quarter of the last century has continued to the present time.

The most important development in federal public welfare service during this period was the establishment of the Children's Bureau in the Department of Commerce and Labor in 1912.<sup>1</sup> The purpose of this agency, as set forth in the law, was to investigate and report "upon all matters pertaining to the welfare of children and child life among all classes of our people" and in particular to "investigate the questions of infant mortality, the birth rate, orphanage, juvenile courts, desertion, dangerous occupations, accidents and diseases of children, employment, legislation affecting children in the several States and Territories." At the time of its creation this bureau was expected to confine its activities to research and to investigation of specific situations affecting children. In 1913 it was transferred to the newly created Department of Labor. Here it remained until 1947, but its duties have been so broadened since 1912 that it is now as much an administrative as a research agency.

A totally new local public welfare agency made its appearance in 1899, and that was the juvenile court. In that year the Illinois legislature enacted a law which made possible the creation of the Cook County Juvenile Court. It was entitled "An Act to Regulate the Treatment and Control of Dependent, Neglected, and Delinquent Children." Thus for the first time in this country delinquent children were recognized by law as belonging to a class of offenders different from that of adult offenders. This new court held "hearings," but

<sup>1</sup> 37 U. S. Statutes 79.

it did not conduct trials. The delinquent child was deemed to be a victim of circumstances in a sense not different from the circumstances surrounding neglect and dependency. The court was so constituted that it could seek the causes of delinquency in particular cases and adapt the treatment to the needs of the child. The same court was given jurisdiction over neglected and dependent children, a disproportionately large number of whom were delinquent or in danger of becoming delinquent. Within thirty years from the founding of the Cook County Juvenile Court all except two states had enacted laws authorizing the establishment of special courts for children. These courts were county courts. Because the juvenile courts were intended to operate as diagnostic clinics rather than as tribunals for the determination of responsibility and guilt, they acquired administrative functions which were incidental to treatment. This has not been altogether fortunate, because other welfare agencies were developing which were better equipped to carry out plans of treatment. The judges of juvenile courts have been reluctant to surrender administrative functions to more adequate treatment agencies, and this vested interest of the courts has often hampered the improvement of treatment facilities for dependent, neglected, and delinquent children.

**Period of 1917 to 1949.** It is perhaps arbitrary, not to say unwarranted, to set the year 1917 as the beginning of a new period in public welfare organization, but the adoption of the Illinois Administrative Code in that year, which involved the public welfare services of the state, was an event in the history of governmental organization of sufficient importance to make 1917 a significant date. This new law provided for a Department of Public Welfare without an administrative or policy-making board. The head of the department was called Director and was appointed by the governor. A Board of Welfare Commissioners was created, but it had only advisory functions. This board can make investigations on its own initiative and submit reports to the governor or the director, or it may be requested to make investigations by the governor. Purchasing of supplies was centralized in a Department of Public Works and Buildings. The Department of Public Welfare was responsible for the administration of the state institutions, the granting of paroles, the supervision of parolees, the deportation of dependent nonresidents, administering old-age assistance, and activities connected with child welfare services. Accounting forms and report forms

relating to fiscal matters are prescribed by the Department of Finance. Conflicts arising between the Department of Public Welfare and another state department may be resolved by the directors of the two departments, or, if they cannot reach an agreement, then for the directors by the governor. Departmentalization of the state government of Illinois reduced the number of persons with whom the governor had to deal regularly, and it permitted the integration of similar functions under a single departmental director.<sup>1</sup> However, in 1942 a new public assistance law removed this function, from the Department of Public Welfare and vested the authority and responsibility in the Illinois Public Aid Commission. Thus disintegration of the organization has begun at the state level.

In 1918 New Jersey established the Department of Institutions and Agencies which in many respects resembled the Illinois department. There was, however, one important difference: the New Jersey law provided for a policy-making board and gave this board power to select and appoint a director. Since the term of office of members of the board is eight years, and their terms overlap, the New Jersey department was removed further from political influence than the Illinois department. The wisdom of such complete separation from political currents might be questioned on the ground that it tends to develop a bureaucracy which is so remote from public opinion that it operates with too great independence. This question has not risen in practical form in New Jersey, and it happens that both the Illinois and the New Jersey departments have had competent directors from the date of their establishment. The most important characteristic of the New Jersey department was the integration of public welfare services under a single executive.

A number of states adopted the Illinois and New Jersey type of public welfare organization, but some states have established two or more co-ordinate departments for the public welfare services. New York and Massachusetts, for example, each have three state administrative units for public welfare: (1) mental hygiene, (2) corrections, and (3) a general department which has no responsibility for mental and correctional institutions. In other states, such as Indiana and Washington, all institutions are grouped into a single administrative unit, and other welfare functions are put into a

<sup>1</sup> Summarized from "An Act in Relation to the Civil Administration of the State Government, and to Repeal Certain Acts Therein Named, March 7, 1917." *Laws of Illinois, 1917.*

department which is known by various names. There is some tendency lately in other states to separate the state agency responsible for the institutions from other public welfare activities. It was supported by the acting governor of Illinois in 1939. This tendency is leading away from complete administrative integration of state public welfare functions. It is encouraged by some on the ground that public welfare institutions and other public welfare services are so different that they belong under separate administrative auspices. The fact that public welfare services have expanded so much in recent years has perhaps strengthened this tendency on the theory that the task is too large for a single executive to direct. This argument is fatuous, however, because the governor of a state is the executive responsible for all departments of state government, and if public welfare services are set up under two or more departments, the governor still holds the ultimate responsibility for good administration in them. Whether or not there is a natural division of public welfare services into institutional and noninstitutional which should be recognized from the viewpoint of assuring a better quality of service cannot be determined at present on the basis of facts.

Local public welfare organization has been undergoing considerable change in recent years. The need for unemployment relief became so great early in the depression that one state after another had to provide state funds to supplement local budgets. It was to be expected that if the legislature voted money for relief it would designate a state agency to supervise the distribution of funds and also to control in some measure the use of the funds in the local community. States with township government found tremendous resistance to what the trustees, supervisors, and overseers of the poor regarded as encroachment upon their traditional prerogatives. When federal relief funds became available in 1933, they were advanced to state agencies, and the state agencies were obligated to guarantee the proper use of the funds. The Social Security Act authorized large sums of money for public assistance, provided the states adopted appropriate legislation and among other things could guarantee that the measures would be in operation in all political subdivisions of the state.<sup>1</sup> In order to comply with Title IV of the Social Security Act it was necessary for the legislature to remove what had been known as mothers' pensions from the jurisdiction of the juvenile courts and put its successor, aid to dependent children,

<sup>1</sup> Federal "Social Security Act," 1935, Titles I, IV, and X.

into an administrative agency. The counties have been subjected to a degree of supervision by the state which is new to them. There was opposition by local leaders, especially those connected with political organizations, but the necessity of having the money which was available usually overcame other scruples.

The most important changes in public welfare organization in recent years have been federal. They are important both because of the volume of services provided and because of the effects upon state and local organization. The Federal Emergency Relief Administration, Civil Works Administration, Farm Security Administration, Works Progress Administration, National Youth Administration, Civilian Conservation Corps, Social Security Administration, the expansion of the Children's Bureau, and finally the grouping of some of these and certain other agencies under the Federal Security Agency have been developments in federal public welfare organization of the greatest importance. Some of them have come to an end, but many of their functions have been assumed by other agencies. There is still inadequate co-ordination of the new federal agencies. Recently bills for the creation of a new Department of Health, Welfare, and Education have been introduced in Congress. Various proposals have been made by the President and in Congress for the establishment of a Federal Department of Public Welfare which would draw public welfare agencies into a single department of the federal government, and some progress was made in 1939 when by executive order the Federal Security Agency and the Federal Works Agency were created. It remains to be seen what department or departments of the federal government will be responsible for the administration of public welfare services during the next decade.

#### DIFFERENTIATION OF SERVICES

The history of public welfare administration has been characterized by endless muddling through and occasional differentiation of particular groups in the population for special treatment. A new agency created for the treatment of a special group, such as the insane, has usually continued to the present or the group has been further differentiated and additional agencies created. The differentiation of a group for special treatment has depended partly on education of the public and partly on the advancement of science.

**The Generalized Institution.** There has always been some rudimentary differentiation of treatment of human need. It is indicated in the Code of Hammurabi, the Old Testament, the records of the early Christian Church, and the Poor Law of Elizabeth in 1601. But these historical provisions for social treatment and the methods actually used did not give what we think of today as individualized treatment. Persons suffering from all sorts of maladies or reduced to poverty because of a variety of circumstances were given substantially the same treatment. The chief distinctions of treatment were special provision for the disabled, different arrangements for the able-bodied poor, and punishment for the delinquent and criminal. Within the limits of these three broad classes there was every type of social problem to which human beings are liable. While individualization of social treatment was developing slowly over a long period of time, it began to assume its modern form only after the general establishment of separate institutions for the insane, the deaf and dumb, and the blind in the first half of the nineteenth century and after the enactment of the first national social insurance laws in Germany in the 1880's. Even at the beginning of the recent economic depression needy transients were booked on technical charges of vagrancy and housed in county jails in some places.<sup>1</sup> The insane, if they are violent, are still held temporarily in jails in many states.

The old poor laws provided for certain kinds of relief to the needy. If the needy happened also to be insane, epileptic, or feeble-minded, there might be some special institution for them. Many of the mildly insane went to the almshouses, and the more disturbed were and, unfortunately, are lodged in jails. The first institutions for the insane were entirely custodial; little was known about the varieties of mental disorders. In the reports of the United States census prior to 1890 the feeble-minded were "idiotic." There was no gradation in the classification of those classified as idiotic. Sporadic instances of special care for children may be found in the colonies and in the states, but in general they were in colonial times "bound out" until maturity. Quoting from the town records of Watertown, Massachusetts, Grace Abbott cites a number of cases of children of poor parents between 1656 and 1669 bound out to neighbors who were willing and financially able to take them.<sup>2</sup> The first public orphanage

<sup>1</sup> For example, Vigo County, Indiana, in 1929.

<sup>2</sup> Grace Abbott, *The Child and the State*, Vol. I, pp. 22-24.



in this country seems to have been authorized by the City Council of Charleston, South Carolina, in 1790; the education of the children committed to this institution was emphasized.<sup>1</sup> But children were placed in the almshouse in large numbers in the early days. As late as 1922 there were 49 children under seventeen years of age in Indiana almshouses.<sup>2</sup> In 1934 there were still 27 children of this age group in Indiana almshouses.<sup>3</sup>

The almshouse and the jail are still the primary representatives of the traditional undifferentiated types of care of the needy. In Table 1 the classes of inmates in the almshouses of Indiana are indicated for the years 1922, 1933, and 1947. In this period of about 25 years the constitution of the almshouse population changed greatly. The annual reports for Indiana give a distribution of the almshouse population according to mental and physical condition.

TABLE 1

RESIDENTS OF COUNTY HOMES IN INDIANA, BY TYPE OF CONDITION PER 100 TOTAL RESIDENTS, 1922, 1933, AND 1947<sup>4</sup>

MENTAL AND PHYSICAL CONDITION	NUMBER PER 100 RESIDENTS		
	August 31, 1922	December 31, 1933	June 30, 1947
Feeble-minded	26.2	16.1	20.4
Insane	15.1	7.1	4.7
Epileptic	5.1	1.5	0.9
Paralyzed and Crippled	23.1	20.7	15.1
Deaf	2.3	1.9	0.8
Blind	5.5	3.2	2.1
Senile	17.7	27.3	15.7
Sick	16.7	12.6	21.7
Able-bodied	1.6	13.5	11.5

The proportion of the institutional population diagnosed as feeble-minded went down for a while, but rose again. The proportions who are insane or epileptic have declined. All other classifications except the sick have declined. The sick have increased. The successor to the old almshouse has an important function, chiefly to give care to the mentally and physically ill. However, it probably should be a nursing home.

<sup>1</sup> *Ibid.*, Vol. I, pp. 29-31.

<sup>2</sup> *Thirty-Third Annual Report of the Board of State Charities of Indiana*, 1923.

<sup>3</sup> *Indiana Bulletin of Charities and Correction*, December, 1934, p. 355.

<sup>4</sup> *Thirty-Third Annual Report*, pp. 128-131; *Bulletin of Charities and Correction*, December, 1934, pp. 356-358; *Annual Report of the Department of Public Welfare*, fiscal year ending June 30, 1947.

The Federal Emergency Relief Administration had been created in 1933 and made possible funds for extramural medical care, which probably accounts for the decline in the proportion of sick persons; but in recent years states have not had federal aid for general relief, and standards have apparently declined. The depression had been particularly severe for the aged, and in 1934 the state old-age assistance program was quite inadequate to provide for outdoor care of this group. Since the Social Security Act became effective, the proportion of aged persons has decreased considerably.

The changing almshouse population may again be illustrated by statistics from New York. The composition of the population in New York was very unstable in the years immediately following the war in 1861-1865. In 1868 the "poor-houses" and "alms-houses"<sup>1</sup> had the care of 2,261 children along with 1,528 chronic insane. By 1879 the number of children under care had declined to 974, and the number of acute and chronic insane had risen to 3,800. During the fiscal year 1879, 221 babies were born in the poorhouses. This picture had changed greatly by the fiscal year 1934, when (at the close of the year) there were only 41 children under 16 years of age in these old poor-law institutions. No insane were listed in this report, although the "sick or infirm" which made up 48.6 per cent of the population of these institutions may have included some chronic insane. The striking thing about the composition of the New York public-homes population was the fact that 46.2 per cent of the inmates were regarded as "able-bodied."<sup>2</sup> In spite of an extensive unemployment relief program in New York state, over six thousand able-bodied persons at the close of the fiscal year were being maintained in the old poor-law institutions, along with the sick, infirm, blind, deaf, and epileptic.

The treatment of the offender against the law until recent years was, in spite of such enlightened statutes as the Kentucky law of 1798, crude retribution. Jails, bridewells, and later state prisons were institutions in which the lawbreaker was held in custody as a punishment to him and as a protection to society. Male and female, juvenile delinquents and hardened professional criminals were in-

<sup>1</sup> *Thirteenth Annual Report of the State Board of Charities of New York*, 1880, pp. 15-20. "Poor-houses" and "alms-houses" were the same types of institutions: the "poor-houses" were county institutions and the "alms-houses" were town or city institutions.

<sup>2</sup> *Sixty-Eighth Annual Report of the State Board of Social Welfare*, State of New York, 1934, pp. 147-167.

carcerated in the same institution. The colonists had brought with them the idea of the local jail with its conglomerate population. The efforts of William Penn to establish a penal system which depended upon hard work and relatively moderate punishments for discipline and reform were first thwarted by Queen Anne and after Penn's death by the colonists themselves. The Walnut Street Prison in Philadelphia, authorized by the Pennsylvania legislature in 1790, was the first of the American state prisons. At the time of its opening a system of classification of prisoners according to the offense committed was introduced; the most serious offenders were confined in solitary cells, but the others were required to work and were lodged in dormitory rooms which permitted considerable supervised social life. When the number of prisoners became too large for the accommodations of the prison, the plan of differentiated treatment broke down, and the evils of the old jail reappeared. But experimentation in penal administration continued in Pennsylvania, New York, and other states. From the time of the establishment of the Walnut Street Prison to the present the development in penology has followed the line of diagnosing the personality of the prisoner, evaluating his crime, and, in a more or less accurate way, providing for specialized treatment.

**Research and Social Diagnosis.** The undifferentiated treatment of the eighteenth and nineteenth centuries reflected the state of science and the art of social administration. Public welfare services were limited mainly to repression, custodial care, and meager outdoor relief, because those responsible for the administration of these services or the legislators lacked the technical knowledge and skills necessary for adequate social diagnosis. Differentiated treatment is obviously dependent upon reasonably accurate social diagnosis. A century of research in medicine, psychiatry, psychology, economics, and sociology was necessary before clients and patients could be classified for intelligent treatment. A century of experience in the art of social administration, countless instances of trial and error and success, preceded the development of modern administrative organization which permits the utilization of advances in the biological and social sciences even to the limited degree of today. The education of several generations of young people in the atmosphere of the laboratory, statistical analysis, and case study has habituated a large section of our population to the idea of looking for causes and devising methods of treatment to accomplish desirable, preconceived results.

The invention of methods of mental measurement opened the way for a quantitative concept of intelligence and led to refinements on the older methods of defining feeble-mindedness used by the physicians. The formulation and verification of the germ theory of disease paved the way for isolating persons with communicable disease and for inoculating persons against certain diseases in order to prevent widespread epidemics. The acceptance of this theory has led to the discovery of specific ways of preventing or treating yellow fever, malaria, pellagra, tuberculosis, syphilis, gonorrhea, and other communicable diseases. Studies of personality by psychiatry, psychology, and sociology have directed the attention of social workers to the necessity of diagnosing each case and planning treatment in accordance with the significant facts. Such studies have particularly affected the methods of treatment of dependent, neglected, and delinquent children; the social workers have developed the specific forms of treatment, but they are indebted to the sciences for basic research and statements of theory. Through the studies of economists a better understanding of the causes of unemployment has led to the adoption of different attitudes toward the unemployed needy person and to the adoption of measures which are technically better adapted to serve the unemployed person. Economics has added much in the last few decades to our understanding of the incidence of taxes and the use of public funds for the maintenance of a minimum standard of subsistence, and research in government has revealed administrative alternatives and has elucidated the political process within which public welfare services must be carried on.

But these sciences have largely performed their function when they have assembled masses of data and engaged in research. The material of the social sciences has had to pass through the alembic of the social worker's mind to be adapted to the treatment of the individual or the group. Treatment requires technique; it requires specific knowledge of the case. Medicine and psychiatry which are as much art as science provide treatment of needy cases, because they apply specific knowledge with skill to the particular case on the basis of diagnosis. While public welfare services are indebted to the biological and social sciences at every turn, they are after all tasks for those with technical training and experience in social work. Differentiation of treatment is, therefore, a product of advancing scientific knowledge and of experience in rendering specific services.

**Family Tree of Public Welfare.** An exact account of the progressive differentiation of public welfare services cannot be given in a few brief pages or in a single volume, but the main events in the

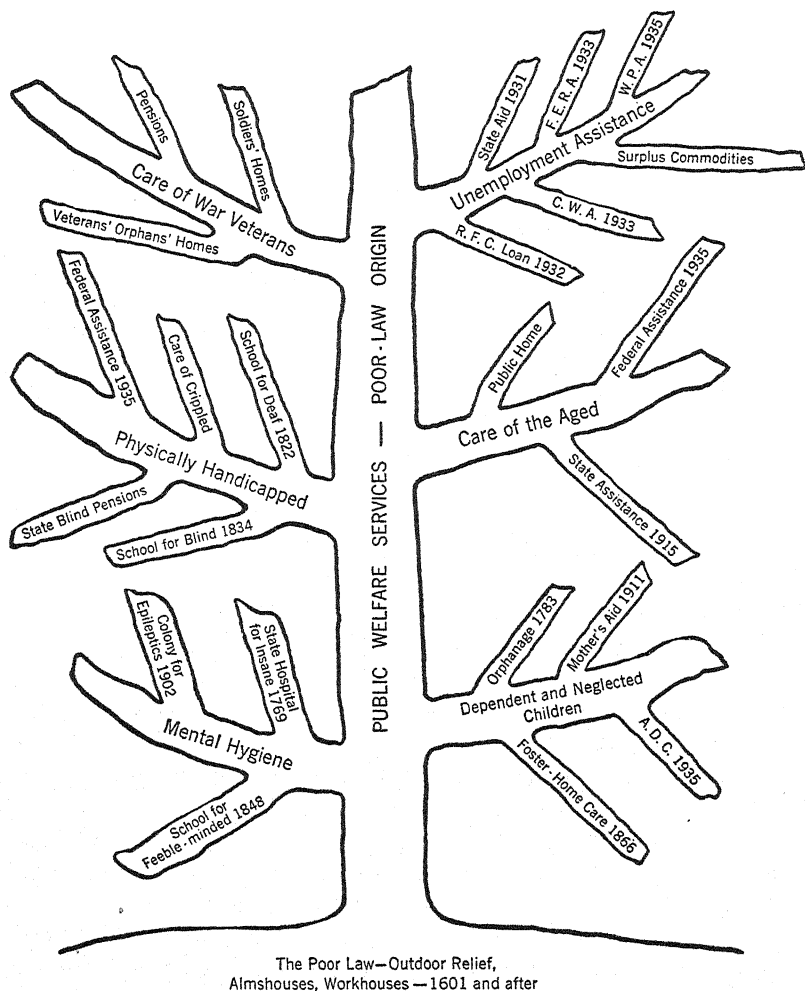


FIGURE 4. PUBLIC WELFARE SERVICES HISTORICALLY RELATED TO THE POOR LAW, WITH DATES OF ORIGIN OF SOME OF THESE SERVICES IN THE UNITED STATES

history of public welfare development can perhaps be roughly indicated in diagrams. The development of public welfare services could be best represented by two diagrams, one representing

care of the needy and the mentally or physically disabled, and the other showing care of delinquents and criminals. Obviously there are points at which these two diagrams would overlap. For example, delinquent children may be feeble-minded and sent, not to an institution of correction, but to an institution for feeble-minded children; dependent and neglected children have been, and unfortunately in some states are, sent to institutions intended for delinquents; an insane criminal may be sent to a hospital for the insane

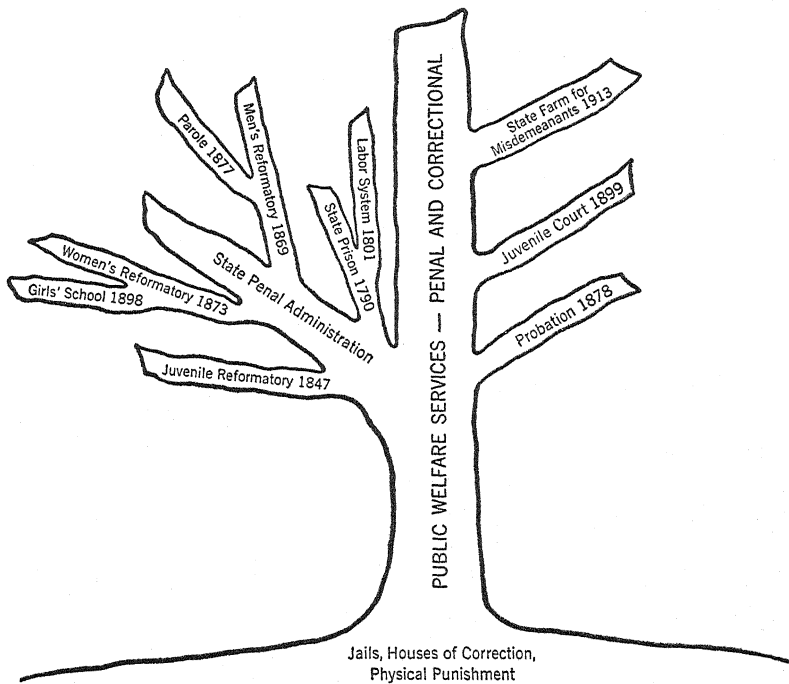


FIGURE 5. PUBLIC WELFARE SERVICES HISTORICALLY RELATED TO CRIME AND DELINQUENCY, WITH DATE OF ORIGIN OF EACH SERVICE IN THE UNITED STATES

instead of to a prison, and insane persons have often been confined in jails; and in colonial times and the early decades of the nation persons convicted of small offenses against the law were committed to workhouses to which also some paupers were sent, and today transient poor persons are sometimes lodged in jails along with criminals. But in general the two family trees can be represented independently without doing serious violence to the facts.

Figure 4 represents the public welfare services which have grown up from the ancient poor law. Figure 5 shows how one group of people after another was taken away from the jail authorities in order that special treatment could be given. It is obvious that improvement in public welfare services, in so far as it is measured in terms of accurate classification of clients and individualization of treatment, has been accomplished by means of the creation of categories of service. A category cannot be defined, preparatory to legislative establishment, until experience has proved the ability to make reasonably accurate social diagnosis in the particular type of case. Once this has been done, however, the group can be separated from the undifferentiated mass of the socially and economically handicapped. Many public welfare leaders have held that the strategy of advancement in public welfare services is closely identified with the definition of particular groups whose problems are similar and for whom funds can be more easily obtained than for the mass of needy persons. The diagrams indicate the factual basis for this opinion.

### PERSONNEL

Conceptions of personnel qualifications for public welfare services have undergone changes similar to those encountered in other branches of the public service. The Jacksonian theory was that any citizen was competent to fill any governmental position, if he could get himself elected or appointed to it. The idea of professional and scientific training as an essential of competent service has grown slowly. It is less than 75 years ago that public-school teachers began to be required to take examinations in order to obtain licenses to teach school; now every legislature, board of county commissioners, and township trustee takes this for granted. Even less time has elapsed since the public began to recognize that good roads could be built, not by just anybody who needed a job, but only by an engineer. Still later it was recognized that public-health nurses should be trained nurses and should be required by the government to pass a test of competency.

In the public welfare field perhaps the first recognition of professional education as a necessity for good performance appeared in connection with the hospitals for the insane. Very early it was recognized that the insane were sick people and needed the attention

of a physician. It was many years, however, before specialization in psychiatry within the general field of medicine was recognized as a further requirement for those who were to care for the insane. Perhaps a majority of state legislators still think that trained social workers are a superfluous luxury, if not a nuisance, in the administration of public assistance and general relief. Individually many legislators recognize the importance of social-work training, but collectively they base their action on a lower level of intelligence. The unexpressed motive of such a public attitude is doubtless the desire on the part of the elected official for more patronage, and he knows that when the conception of professional competence is introduced as a criterion for the selection of personnel, patronage is in danger of being squeezed out. Means for determining competence other than party loyalty are necessary. This is the point of conflict which has determined the struggle between those who advocate recruiting the best possible personnel in the interest of service to the whole public and those who seek to retain the maximum number of appointments to the public welfare services in the interest of the political party. But public welfare administration has grown to be so complicated and technical that one concession after another to professional competence has been made.

**Elected Officials.** The local overseer of the poor, township trustee, or township supervisor, as he was and is variously called, was the lowest public welfare official. The traditions for the election of this official go back to early colonial times. In the New England states and some Midwestern states this functionary has long been the basis of the political organization. To alter or abolish his functions has been next to impossible, and his poor-relief activities have been clutched more tenaciously than any of his other activities. In most states he has lost his power over local roads and by a process of attrition is rapidly losing his authority over the public schools, but he has released his authority over the poor rarely and then only after a fight. In colonial times, as also in rural communities at present, the township trustee was one of the neighbors, known to everybody. He knew the circumstances of the rich and the poor, and this was all the qualification deemed necessary for the office.

County public welfare services have been partly the responsibility of the county board of commissioners, or board of supervisors, and partly the duty of the courts. In the eastern states many cities had almshouses, but outside of this region the almshouse was a county



institution and was usually under the control of the county commissioners. The appointment of the superintendent was a matter of political patronage. The county courts of competent jurisdiction have played an important part in child welfare and the commitment of insane persons. The judge usually exercised his own judgment regarding the disposition of dependent, neglected, and delinquent children, but in the case of persons "charged" with insanity he has generally been required by law to have the opinion of one or more physicians regarding the person alleged to be insane.

**Political Patronage.** The administrative officers and other personnel of almshouses, jails, and state institutions were for many years appointed by the elected officials. The appointments were made as rewards for service in helping to elect the successful candidate. With the exception of the schools for the deaf and dumb and the blind, public welfare institutions during the first half of the nineteenth century were considered custodial agencies. The superintendent of an almshouse had neither to give constructive services nor to prevent escapes; consequently, he was apt to be a very low-grade person without any qualifications as a public administrator. The administrative head of a jail, prison, or insane asylum was not expected to do anything in particular for the improvement of his charges, but he was responsible for safe custody. Too many escapes were a mark of reprehensible administration. The management of the jail was and is usually the duty of the county sheriff, who appoints whatever employees he deems necessary, and those who are appointed are usually selected from among the lower-grade political workers who will work cheaply. Wardens of prisons were generally men of larger experience, but for the most part they served during a single state administration and were replaced by new political appointments when a new governor was inaugurated. The hospitals for the insane were exposed to the same stupid patronage system, except that insane persons were regarded as sick and in need of medical attention. As a concession to this popular prejudice, the politicians felt constrained in most cases to look around for a medical practitioner who had exhibited the requisite amount of party enthusiasm.

The first real breaks in the patronage system came with the appointment of separate boards of trustees for state institutions who were empowered to select superintendents and other personnel. This provision was even incorporated in the law for the establish-

ment of the Williamsburg Hospital in 1769, and again in the Massachusetts law of 1834 which placed the management of the State Lunatic Hospital at Worcester in the hands of a board of trustees. The trustees of such institutions were appointed by the governor, and their appointment of personnel was often subject to approval by the governor. Thus, while a board of trustees tended to stabilize the administration of state institutions, it did not by any means prevent at least the higher positions from being utilized for patronage purposes. The new prison authorized in Kentucky by the law of 1798 had a "keeper" who was appointed by the governor and who could be removed by the governor "whenever occasion may require," which meant removal for any reason whatsoever, including political reasons.

The creation of the Massachusetts Board of State Charities in 1863 and of similar boards during the next twenty years in many other states seems to have been another step in the direction of stabilizing tenure of office, and this type of board which had the power to investigate and to report its findings made a contribution toward improvement of the quality of personnel. When a good superintendent, warden, or secretary of a board was by accident or design appointed to a state institution, the state board of charities was often instrumental in protecting him against dismissal for purely political reasons. It can hardly be doubted that the long and valuable public services of men such as Z. R. Brockway of New York, Amos W. Butler of Indiana, and Frederick H. Wines of Illinois were in some measure made possible by the protection which the citizen state boards of charities and corrections afforded. Because the tenure of office of the higher officials was assured to some extent, the tenure of able younger employees was more certain.

**Selection of Personnel on the Basis of Merit.** The early state boards of charities and corrections, of which the Massachusetts board is a good example, attempted to appoint reasonably competent persons to public welfare positions, but the appointment of qualified employees and the assurance of tenure to them depended upon the ability of the board to convince the governor that the services required technical competence or to outmaneuver the governor in the game of politics. The practice of rotation in office, one of the least useful heritages of the Jacksonian era, was strongly ingrained. The assumption was that the elected officials rotated by the will of the voters, that they determined public policies while they

were in office, and that they had not only the right but the duty to surround themselves with loyal party adherents. This is a defensible position in so far as it concerns elective and appointive officers who hold policy-making positions, or certain confidential staff officials. But the argument was in large measure insincere, because an appointive officer of reasonable competence who has filled an office for several years has acquired familiarity with the requirements of the office and skill in the performance of his duties. He takes orders from the policy-making, elective officers, and, so long as they are honest, can carry out the orders of one set of such officers as well as another, provided, of course, that the appointive officer is not himself a partisan who obtained his office in the first place because of his standing with a political party.

Public dissatisfaction with the spoils system in public welfare began to be significant about the time that the first federal civil service law was passed in 1883. The National Conference of Charities and Corrections had a Committee on Politics and Public Institutions. This committee made an investigation and reported to the Conference in 1898.<sup>1</sup> Ample evidence of the "flagrant and wicked abuse of the power of appointment and discharge" was found. In 1905 Illinois adopted its first civil service law. Within three years after its enactment 4,550 appointments had been made under the law,<sup>2</sup> and the Board of State Commissioners of Public Charities was so well satisfied with the operation of the law that it recommended the extension thereof to all employees of the charitable, penal, and correctional institutions, including the superintendents and wardens. A year later the Commissioners summarized what they conceived to be the more important reforms attributable to the civil service law, as follows:

"The enforcement of discipline.

"The abolition of political assessments or appointments through political influences.

"The elimination of the hospital tramp.

"The establishment of an adequate standard for the medical staff.

"The employment of dentists and dental internes.

"The development of a trained nursing force.

"The establishment and encouragement of training schools for nurses.

<sup>1</sup> *Proceedings of the National Conference of Charities and Corrections*, 25th Annual Meeting, 1898. Quoted by Breckinridge, *op. cit.*, pp. 439-443.

<sup>2</sup> See Breckinridge, *op. cit.*, p. 446.

"The reorganization of the engineering plants of many of the institutions and the employment of skilled engineers at their head.

"The employment of competent men in the business departments of the institutions.

"The reorganization of the teaching forces and the appointment of competent teachers in the various institutions where teachers are employed.

"The improvement of the attendant force, due to improved methods of instruction and the enforcement of discipline.

"The elimination of favored employees.

"The establishment of a higher moral spirit and responsibility among employees, due to strict discipline.

"The reduction of temporary employees for short periods.

"Abolishment of sinecures and prevention of them."<sup>1</sup>

In the meantime civil service laws for the selection of public welfare employees in a number of other states had been adopted.

The original purpose of civil service reform was more or less negative. The spoils system had become so vicious and inefficient that attention was centered upon eliminating it from the public welfare services. But after a few years' experience with the civil service laws, it became apparent that the classification of personnel according to the requirements of the specific job and the total needs of the institution or agency was of equal importance. The necessity of devising examinations and determining the qualifications of persons to be admitted to the examinations emphasized the variety of technical and professional personnel required for public welfare services. The profession of social work was embryonic at the time of the adoption of civil service in Illinois, but with the growth in number of schools of social work during the next thirty years came a realization that, in addition to physicians, psychiatrists, psychologists, teachers, engineers, and accountants, constructive public welfare service required this new profession of social workers. The graduates of the earlier schools found employment in the better private social agencies, and it was in these agencies that the demonstrations were made which in recent years have in large measure set the standards for public welfare services. The differentiation of types of social-work positions added to the problem of civil service classification. Thus, dissatisfaction with the spoils system, adoption of a merit plan for

<sup>1</sup> *Twenty-First Fractional Biennial Report of the Board of State Commissioners of Public Charities of the State of Illinois, 1909. Quoted by Breckinridge, op. cit., p. 447.*

selecting employees, classification of positions in public welfare services, experiments in private social agencies, and the development of professional education for social work have reinforced one another and in combination have contributed to the improvement in the quality of public welfare services.

### QUESTIONS

1. What units of government and what officials were responsible for poor relief in colonial times?
2. What provisions of the Constitution of the United States became the basis of public welfare services?
3. On what constitutional grounds was the extension of federal public welfare services prevented prior to the Civil War?
4. What were some of the early public welfare institutions established by the states?
5. Why was the creation of the Massachusetts Board of State Charities in 1863 a significant event in the history of public welfare?
6. What were the most important innovations in public welfare organization between 1863 and 1917?
7. Describe the movement toward integration of state public welfare functions which began in Illinois in 1917.
8. What important changes in public welfare organization at the federal level occurred during the F. D. Roosevelt administration?
9. Discuss the "family tree" of public welfare administrative organization.
10. How are research and social diagnosis related?
11. What is meant by the "spoils system"?
12. What is meant by "civil service" and how has it affected public welfare administration?
13. How many of the books listed in the Selected Bibliography, at the end of this text, have you consulted?

## CHAPTER III

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### FEDERAL ORGANIZATION

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For many years the federal government has been gradually assuming the responsibility for expanded public welfare services, but it was not until the recent depression of business that the volume of such services became large enough to make much of an impression upon the public. During the presidential campaign of 1920 Warren G. Harding proposed a reorganization of the executive branch of the government and among other things suggested the creation of a Department of Education and Welfare to which would be transferred a number of educational and welfare bureaus at that time scattered among several departments. No new functions were proposed. Within a short time after the beginning of the new administration in 1921 a bill was introduced in the Senate providing for the creation of a Department of Public Welfare—the educational aspects of President Harding's proposal being omitted. This bill would have brought all the welfare activities of the federal government into the new department, but it was not passed. The next serious suggestion of a similar kind to be made was that of President Roosevelt's Committee on Administrative Management in 1937. This committee recommended that a Department of Social Welfare be established: "To advise the President with regard to social welfare. To administer Federal health, educational, and social activities, to administer Federal grants, if any, for such purposes; to protect the consumer; to conduct the Federal aspects of Federal-State programs of social security where need is the basis of payment of beneficiaries; to administer all Federal eleemosynary, correctional, and penal institutions; and to administer probation and parole."<sup>1</sup> Bills were drafted by members of Congress to carry these and similar proposals into effect, but they were not passed.

The existence of federal public welfare agencies, however, is in no

<sup>1</sup> *Report of the President's Committee on Administrative Management*, 1937, p. 32.

way dependent upon new legislation intended to co-ordinate them in a single department. Public welfare services are carried on in the Departments of Interior and Justice and in the Federal Security Agency. To the student or administrator of public welfare services, the Federal Security Agency is by far the most important federal organization in the field, but brief accounts of others will be given.

#### OFFICE OF INDIAN AFFAIRS

The Indian Service is responsible for protecting the rights and well-being of the Indians of the country. The more humane policies of the federal government during the last two decades have aimed at prevention of exploitation and at the promotion of a wholesome social and economic life among the Indians. John Collier, former Commissioner of Indian Affairs, defined the federal Indian policy in these words: "We, therefore, define our Indian policy somewhat as follows: So productively to use the moneys appropriated by the Congress for Indians, as to enable them, on good, adequate lands of their own, to earn decent livelihoods and lead self-respecting, organized lives in harmony with their own aims and ideals, as an integral part of American life."<sup>1</sup> That this was not the policy of the federal government during the generation after 1887 is indicated by the fact that in the year 1887 the Indians still retained 130,000,000 acres of land which by 1933 had dwindled to 49,000,000. Under the administration of Commissioner Collier between 1933 and 1938 about two and a half million acres of land were added to this amount. That the Indians are a biologically healthy race is indicated by the fact that, far from dying out, the excess of births over deaths is almost twice as high as it is for the white population. In 1938 it was estimated that the Indian population in the continental United States and Alaska was about 375,000.<sup>2</sup>

The services performed by the Office of Indian Affairs which may be regarded as public welfare activities are varied. This bureau is responsible for all work with Indians; consequently, it maintains as many different services as funds permit, and these are in the main independent of other federal public welfare agencies. The health service is probably the best established. "The Indian Service during the past year maintained 79 general hospitals with 2,968 beds

<sup>1</sup> "Office of Indian Affairs," reprinted from the *Annual Report of the Secretary of the Interior*, 1938, p. 210.

<sup>2</sup> *Ibid.* For data see pp. 209, 211, 261.

and 362 bassinets, and 14 sanatoria with 1,342 beds."<sup>1</sup> Tuberculosis is perhaps the major health problem, especially in Alaska, but trachoma and other contagious diseases require much of the time of the health workers. The Indian Division of the Civilian Conservation Corps has provided relief work to many Indians without regard to age and has brought important improvements to the forests, ranges, and farm lands. Lack of houses on Indian lands stimulated a movement of the population to the Indian agency where they took up residence in tents and depended for survival on relief. To check this movement a housing program, consisting of both repairs and new construction, was made possible in 1936 through an allotment of money from Emergency Relief funds. Over a million dollars was transferred from the Farm Security Administration for this purpose in the fiscal year 1938. The Indians are eligible for public assistance under the Social Security Act, and the case-work services, which state and county welfare departments have given, have brought a type of technical service seldom available in former years to Indians. Indian children have benefited greatly in some states from the child welfare services provided by Title V of the Social Security Act.

The territorial organization of the Indian Service consists of ten districts, one of which is Alaska. In each district an agency has been set up for each tribe. It is from these tribal agencies that services are carried to individuals and families. For the fiscal year ended June 30, 1938, there were 7,639 regular and 4,424 temporary or part-time employees of the Indian Service. During the same year about \$8,600,000 of emergency funds were expended and obligated for the work of the C.C.C. and for rehabilitation. From the regular appropriation about \$4,129,000 was spent for health services.<sup>2</sup>

### BUREAU OF PRISONS

The Bureau of Prisons was created by act of Congress on May 14, 1930, and placed in the Department of Justice. This is another bureau which logically belongs in the Federal Security Agency. It is responsible for the custody, treatment, training, release, and supervision of persons convicted of violating federal laws. All of these activities are intended to protect society or to reconstruct

<sup>1</sup> *Ibid.*, p. 238.

<sup>2</sup> *Statistical Supplement to the Annual Report of the Commissioner of Indian Affairs*, for the fiscal year ending June 30, 1938.



the behavior patterns of the offender. They follow the successful prosecution of a charge against the accused. When sentence is passed, the prosecuting attorney in the American system of the administration of justice has nothing else to do with the prisoner. The United States Attorney General is the prosecuting attorney for the federal government, and as such he has no competence as director of the services known as penal administration. The system in operation in the states makes more sense than does the Jekyll-and-Hyde role of the United States Attorney General.

During the fiscal year 1945, the federal courts turned over to the Bureau of Prisons for supervision 21,200 prisoners<sup>1</sup> and received 4,772 from other sources for institutional care.<sup>2</sup> The Bureau released 3,130 persons on parole,<sup>3</sup> and it received 23,866 for supervision on probation.<sup>4</sup> All of these cases represent new cases in one way or another for the Bureau, but there were also many holdovers in the institutions, on probation and on parole. The custody and rehabilitation of offenders against federal law have obviously become major activities of the national government.

The chief executive officer of the Bureau of Prisons is the Director, who is selected and appointed by the Attorney General. The Director may in turn select and appoint two assistant directors without reference to civil service regulations. The appointment of a certain number of inspectors and the higher officers of the institutions is not subject to approval of the Civil Service Commission, although some of the assistant directors and higher institution officers do, as a matter of fact, have civil service status.<sup>5</sup> In spite of this somewhat loose personnel policy, the Bureau has usually had able executives who have in fact held office indefinitely.

The type and number of federal penal and correctional institutions are given in Table 2, page 71.

The organization of the Bureau of Prisons differs from that of other federal bureaus with respect to administrative units and agencies. Table 2 indicates the variety of institutions, but there

<sup>1</sup> *Federal Prisons, 1945*, by the Bureau of Prisons of the United States Department of Justice, 1946, Table 6, p. 36.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*, Table 24, p. 63.

<sup>4</sup> *Ibid.*, Table 29, p. 70.

<sup>5</sup> *United States Prison Service Study Course, Lesson No. 3*, United States Bureau of Prisons, 1938, p. 11; *A Brief Account of the Penal and Correctional Activities of the Bureau of Prisons*, United States Department of Justice, United States Bureau of Prisons, 1936, p. 1.

are other important differences. The Board of Parole is an independent agency within the Bureau, the sole duty of which is to decide when federal prisoners shall be given parole. In recent years this Board has been approving a decreasing proportion of applications for parole: it was 39.9 per cent in 1945, as compared with 60.7 per cent in 1931.<sup>1</sup>

TABLE 2  
PENAL AND CORRECTIONAL INSTITUTIONS  
OPERATED (OR USED) BY THE BUREAU OF  
PRISONS IN 1945<sup>2</sup>

TYPE OF INSTITUTION	OPERATING UNITS
Total	33
Correctional Institutions	8
Institutions for Juveniles	3
Institutions for Narcotic Addicts*	2
Medical Center	1
Penitentiaries	6
Prison Camps	5
Reformatories	5
Other	3

\* Operated by the United States Public Health Service, but used by the Bureau of Prisons.

Prison Industries, Inc., responsible for the industrial program of the institutions, has been an independent agency entirely outside the Department of Justice, but the Director of the Bureau of Prisons has been ex officio president of the corporation; and an executive order of the President has now put this corporation into the Department of Justice. The Parole Executive is an officer of the Bureau and is responsible for general supervision of persons who are granted parole, but local supervision is usually given by federal probation officers appointed by and attached to the federal courts but under the technical direction of the Supervisor of Probation, an officer of the Bureau. Besides these activities there is the major duty of operating the institutions. Table 2 gives the number of institutions under control of or used by the Bureau. At the head of each institution is a warden or superintendent who reports to the Director of the Bureau of Prisons.

<sup>1</sup> *Federal Prisons, 1945*, Table 5, p. 35.

<sup>2</sup> *Federal Prisons, 1945*, Table 1, p. 5.

## VETERANS' ADMINISTRATION

The Veterans' Administration was established July 21, 1930, by an act of Congress. It represented a consolidation of all the federal agencies which were concerned with the administration of benefits and services for former members of the military and naval establishments and their dependents. The effect of this legislation and of previous unco-ordinated enactments was to create a category of the population which in many respects resembles a welfare category but which has much broader functions than are usually classified as public welfare services. Veterans and their dependents have been segregated for special treatment, and the kind and quantity of this treatment were greatly extended by legislation in the latter part of World War II. "A veteran . . . is a person in civil life who served at any time between specified dates constituting a war period."<sup>1</sup> The Veterans' Administration which is responsible for administering this program for veterans is an independent governmental agency. It is not connected with any of the regular departments, although it probably should be attached to the Federal Security Agency. More than anything else, the Veterans' Administration resembles a "federal security agency" whose clientele is limited to veterans and their dependents, but in time the veterans and their dependents may equal half the population.

Some account of the volume of work done by the Veterans' Administration will now be presented. The number of veterans was estimated to be 18.8 millions in 1948.<sup>2</sup> All veterans are entitled to receive medical care under the several laws which created the special services for this category of the population, but only one third of the cases in 1948 involved service-connected disability. Patients were in 125 hospitals operated by the agency and in some other hospitals; but in order to accommodate the expected demand for services, plans call for the building of 89 additional hospitals, all of which are in some stage of construction.<sup>3</sup> Added to the 102,200 beds already in existence, these additional hospitals, when completed, will give the Veterans' Administration 152,200 beds which it owns and operates.

Another service to which the veteran is entitled is compensation or pension for partial or total disability. Originally only veterans

<sup>1</sup> *Annual Report, 1948, Administrator of Veterans' Affairs*, p. 1. Washington: Government Printing Office, 1949.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*, p. 8.

whose disability was incurred while in service or as a result of service were eligible, but Public Law 313, enacted by the Seventy-eighth Congress, provided compensation and pension for veterans with non-service-connected disabilities, provided they had served the minimum time in the armed forces and were able to show income of less than the maximum allowed.

The Seventy-eighth Congress also enacted Public Law 16 and Public Law 346. The first of these laws provides funds to pay for costs of vocational rehabilitation and education of injured veterans, and the second provides similar benefits for any eligible veteran. By 1956 almost all veterans will have received under these two laws all the benefits to which they are entitled.

To assure some income to the veteran, if he could not get a job immediately or was laid off within a specified period, the Servicemen's Readjustment Act was adopted in 1944. Under this act, an eligible veteran, whether in need or not, could get \$20 a week for a maximum of 52 weeks. Under this same act, the veteran could have a home, farm, or business loan up to \$4,000 insured, and under the National Service Life Insurance Act of 1940 he could obtain one or more of several kinds of insurance.

There were still other services, but they were of relatively minor importance.

TABLE 3  
NUMBER OF PERSONS RECEIVING SPECIFIED SERVICES  
THROUGH THE VETERANS' ADMINISTRATION DURING THE  
FISCAL YEAR 1948<sup>1</sup>

PERSONS SERVED	NUMBER OF PERSONS
Average Hospital Patients per Day	105,900
Outpatients Treated	1,900,000
Dental Patients	655,900
Veterans Receiving Compensation	2,319,433
Dependents Receiving Death Compensation	589,773
Veterans under P.L.'s 16 and 346	1,891,511
Government Life Insurance Policies in Force	1,147,481
National Life Insurance Policies in Force	6,437,000
Veterans Receiving Loans	510,825
Readjustment Allowances	554,000
Contact Interviews with Veterans	18,000,000

Some conception of the volume of services rendered in a year by the Veterans' Administration is needed. The net expenditures from

<sup>1</sup> *Annual Report, 1948, op. cit.*, pp. 6, 18, 19, 36-42, 48, 56, 67, 68, 74, 77, 105.

all appropriations and trust funds of the Veterans' Administration in the fiscal year 1948 amounted to \$6,896,264,628.<sup>1</sup> This is about four times as much as was spent by the Social Security Administration in approximately the same fiscal year.<sup>2</sup>

As shown in Table 3, the number of persons who received service of some kind during the fiscal year 1948 is impressive. These figures represent a huge volume of work. This is really cradle-to-grave social security for the dependents of veterans and almost for the veterans themselves, for which no contributions are made by the veterans, as in the financing of certain parts of the Social Security Act. After voting for this kind of relief program, no Congressman should have the inconsistency to vote against contributory insurance for the rest of the population.

#### EMERGENCY WELFARE AGENCIES

Soon after the beginning of the F. D. Roosevelt administration, legislation was enacted to provide federal relief to the unemployed. Prior to this time only loans to the states by the Reconstruction Finance Corporation had been authorized. The Federal Emergency Relief Act of May, 1933, provided for several types of agencies. The problem of unemployment and relief was attacked from several angles. Out of this original act and later supplementary legislation grew the following agencies which are of historical interest to students of public welfare administration and which were still in existence at the beginning of World War II (the Federal Emergency Relief Administration was discontinued in 1935): (1) Civilian Conservation Corps; (2) Federal Surplus Commodities Corporation; (3) National Youth Administration; (4) Works Progress (or Projects) Administration; and (5) Farm Security Administration.

**C.C.C.** The Civilian Conservation Corps was organized late in the spring of 1933, chiefly to provide work for unmarried young men between the ages of 17 and 23 on the nation's forests, parks, and farms. An average of about 325,000 young men were employed on these conservation projects. All men selected for service with the Corps had to be unemployed and in need of employment. Each enrollee received \$30 a month and maintenance, but of this amount \$22 a month was allotted to the family of the enrollee and was sent directly to the family, only \$8 being paid to the enrollee

<sup>1</sup> *Ibid.*, p. 72.

<sup>2</sup> *Social Security Bulletin*, December, 1948, pp. 19 and 22.

himself. The C.C.C. was made a part of the Federal Security Agency in July, 1939. The Director of the C.C.C. had the responsibility of supervising the state and local welfare agencies in their selection of young men for the Corps. The War Department gave medical examinations, equipped and administered the camps, and made the monthly payments to the enrollees and their families. The Veterans' Administration selected the war veterans' quota of enrollees, which was 10 per cent of the total—men not subject to age or marital restrictions. Certain technical supervision on particular projects was given by the Department of Agriculture and the Department of the Interior. A great many types of work were carried on by the Corps, but the following were the most important: (1) forest culture; (2) forest protection; (3) erosion control; (4) flood control, irrigation, and drainage; (5) transportation improvements; (6) structural improvements; (7) range development; (8) wild life; and (9) landscape and recreation work.<sup>1</sup> The activities of the Corps were clearly in the nature of public works, but this work was created for the purpose of giving unemployment relief and maintaining or restoring the morale of young men, a large proportion of whom had never had real jobs of any importance. The enrollees themselves had by 1939 received in wages about two hundred million dollars, and their families had received almost half a billion in allotments from the wages of the boys.

**F.S.C.C.** The Federal Surplus Commodities Corporation began as the Federal Surplus Relief Corporation October 4, 1933, but the name was changed November 18, 1935. It is an incorporated agency but is under the direction of the Department of Agriculture. This corporation was created to serve two purposes: to dispose of surplus farm crops which could not be sold in the open market for cost of production, and to supplement the cash relief allowances of clients of public welfare agencies. The corporation buys the commodities and through an arrangement with a state agency distributes them to clients through local welfare agencies. During the fiscal year ended June 30, 1938, the corporation purchased 1,839,100,000 pounds of agricultural commodities at a cost of \$47,430,000.<sup>2</sup> This agency performed an important function in increasing the supplies of food needed by families on relief.

<sup>1</sup> Data from C.C.C. Release No. 52355, Feb. 23, 1939.

<sup>2</sup> *Report of Federal Surplus Commodities Corporation for the Fiscal Year 1938*, p. 17. Washington: United States Government Printing Office, 1938.

**N.Y.A.** The National Youth Administration was established by executive order June 26, 1935, under authority of the act creating the Works Progress Administration. In 1939 it was transferred to the Federal Security Agency. It represented the recognition that young people have vocational and employment problems which differ in important respects from those of adults. The N.Y.A. program included both student aid and work projects. To young people who wanted to remain in school or college but who would be unable to do so without special assistance the N.Y.A. provided a small cash allowance on condition that the student do a certain amount of useful work for the school or college. The work found for the students had to be additional to the usual activities of the school or college and had to be outside the ordinary possibilities of the existing budget. About two thirds of the students who received assistance were below the college level.<sup>1</sup> The work projects in which the young people who were not in school or college participated were similar to those provided under W.P.A. proper, described below. Greater effort was made, however, to give the youth some vocational training on the job or to offer instruction of which he might take advantage after work hours. "A rapidly expanding phase of the work program is the operation of resident training centers for out-of-school unemployed youth who are drawn chiefly from rural areas and small communities. The number of youth on resident projects increased from 800 in September, 1937, to 7,900 in June, 1938. These projects provide work experience and related instruction in agriculture, shop work, construction, and homemaking and are designed to permit project workers to reside at the site of the project."<sup>2</sup> These resident training centers were likely to be located at or near colleges or technical schools. Up to January, 1939, about 800,000 young people had received assistance under the Student Aid Program and 650,000 on the Work Program. About 386,000 had registered with the local offices of state employment agencies, and the Junior Placement Service of these agencies, financed in part by the N.Y.A., had found employment for about 150,000.<sup>3</sup>

The importance of the Student Aid Program is obvious, but perhaps of no less importance have been the vocational training, which

<sup>1</sup> "Report on the National Youth Administration," reprinted from *Report on Progress of the WPA Program*, June 30, 1938, p. 4.

<sup>2</sup> *Ibid.*, p. 7.

<sup>3</sup> *Information Bulletin on Student Aid and Work Programs*, No. 13975. Washington: The National Youth Administration, January, 1939.

many young people received, and the demonstration of the value of vocational training. Because the N.Y.A. worked closely with the state employment agencies, it showed the practicability of a vocational guidance and training program as a permanent part of the public employment service.

**W.P.A.** Late in 1935 the Works Progress Administration became the major federal agency engaged in providing unemployment relief. It was the successor to the Federal Emergency Relief Administration and the Civil Works Administration, and in 1939 was renamed the Works Projects Administration and included in the Federal Works Agency. Direct relief was left to the states and localities, while the federal government assumed responsibility for the work-relief program. The aim of the W.P.A. was to give public work to able-bodied people in need of jobs and to build useful public improvements or perform useful public services. It differed from the usual conception of public works in that the latter are designed first to create some public improvement or to perform some public service, while the provision of employment is incidental. "With the WPA, however, public work is a way of using or salvaging labor that otherwise would waste in idleness. The WPA begins with the people who need jobs."<sup>1</sup>

The W.P.A. program was largely federal in organization and administration, although—except for the federal projects, which amounted to only about 2 per cent of the program—all projects were planned and sponsored by local or state governmental agencies. "The WPA then reviews them for engineering soundness, availability of labor, legality, financing, and numerous other definite points of eligibility. The WPA also controls the timing of operations."<sup>2</sup>

As a result of the employment of an average of about 3,000,000 men and women since the inception of the W.P.A. program, a vast amount of public work of permanent value was done. Even by 1938, completed projects in connection with public buildings included 12,212 new buildings, repairs and improvements on 36,510 buildings, and additions to 1,363 others. These buildings were educational, recreational, and institutional. Over 125,000 miles of new highways, roads, and streets were built, and nearly half a million miles were repaired or improved. Aviation projects included the con-

<sup>1</sup> *Inventory, An Appraisal of Results of the Works Progress Administration*, p. 7. Washington: U. S. Government Printing Office, June, 1938.

<sup>2</sup> *Ibid.*, p. 11. See diagram.



struction of 130 new landing fields and the repair or improvement of 136 others. About 5,000 athletic fields, parks, playgrounds, swimming pools, and ice-skating rinks were built. Large numbers of men were employed on projects for the construction or improvement of water supply, sanitation, and drainage. New branch libraries to the number of 3,535 were established. Sewing rooms produced about 95,000,000 garments. Medical, dental, and nursing assistance was given to perhaps ten million persons. In October, 1937, 100,145 educational classes were in operation.<sup>1</sup> The quality of the work done as compared with the average quality of similar work done under private auspices or by regular public works agencies was difficult to determine. Much of the work has been of a high order. Perhaps the quality can be defended better than the cost, for the unit cost of W.P.A. projects seems to be relatively high. But the first object of a work project was to give employment to the unemployed worker who needed not only money for maintenance but also support for his morale. The finished product was incidental to the attainment of this objective, and it is from this viewpoint that the work relief organization must be appraised.

**F.S.A.** The Farm Security Administration was organized to take over the functions of several emergency agencies which were created to give special services to farmers during the depression. The public welfare services which it rendered were in terms of cost a minor part of its total program. Medical service plans were set up in about 100 localities on a basis resembling insurance. Low-income farm families could receive more adequate medical care through these service units. Cash grants in the amount of \$23,062,061 were made to about 250,000 families during the fiscal year 1938. These grants took the place of the usual direct relief. In general the program of the Farm Security Administration was concerned with making loans to farmers, tenants, share croppers, and laborers for the purchase of land, equipment, livestock, and seed. The loans were made on easy repayment terms and resulted in an average increase of the net worth of 231,661 families by \$252 each.<sup>2</sup>

The Farm Security Administration, headed by the Administrator, operated as a bureau in the United States Department of Agriculture. It had twelve regional offices. Rehabilitation offices were

<sup>1</sup> *Ibid.*, pp. 90-92.

<sup>2</sup> *Report of the Administrator of the Farm Security Administration*, pp. 3, 5, 9, 10. Washington: U. S. Government Printing Office, 1938.

established in the states, and each state was divided into districts. The administration either had its own representative in counties or worked through the county farm and home demonstration agents of the Department of Agriculture. The central office of the administration had three operating divisions: Rural Rehabilitation, Tenant Purchase, and Resettlement. For the most part the public welfare services were under the direction of the Rural Rehabilitation Division. Ten divisions were set up to give various staff services, such as auditing, information, business management, personnel, labor relations, and medical care.<sup>1</sup>

### THE FEDERAL SECURITY AGENCY

The description of the organization of federal public welfare services above has shown the great amount of dispersion of these services; at the same time, it has indicated some of the difficulties which would beset an effort to include all of them in a single department of the federal government. It could be done, obviously, because the inclusion of those described would involve the expenditure of less money per year than is being spent by the new Department of Defense, and certainly there is no greater difference between the Social Security Administration and the Veterans' Administration than there is between the Army and the Navy, and the vested interests of sentiment and position are more solidly frozen in the armed services. At the beginning of 1939, the federal social services were performed through five regular departments and four independent agencies. Under authority of the Reorganization Act, the President in April, 1939, issued an executive plan which brought about, July 1, a regrouping of the federal social services. The Federal Security Agency was created to include the following bureaus and independent agencies: United States Employment Service, Office of Education, Public Health Service, National Youth Administration, Social Security Board, and the Civilian Conservation Corps. The Works Progress Administration was transferred to another new agency, the Federal Works Agency. By a second executive plan in May, 1939, the President assigned the Federal Prison Industries, Inc., and the National Training School for Boys to the Department of Justice. The following agencies were left unchanged: Bureau of Indian Affairs, Children's Bureau, Fed-

<sup>1</sup> Information contained in letter from Acting Administrator R. W. Hudgens, March 21, 1939, and from organization chart, dated January 1, 1939.

eral Surplus Commodities Corporation, Farm Security Administration, Bureau of Prisons, and the Veterans' Administration. Result: after July 1, 1939, the federal social services were distributed among four regular departments, one independent agency, and two sub-departments known as "agencies." That is, there was a reduction from nine to seven major administrative units which reported directly to the President. This was a step toward simplified organization and co-ordination.

Since the creation of the Federal Security Agency in 1939, some further steps have been taken toward co-ordination of the public welfare services. All of the agencies created to meet the emergencies caused by the great depression have now been abolished or have had their functions absorbed by the regular governmental establishment. On June 30, 1940, the Food and Drug Administration was transferred from the Department of Agriculture to the Agency, and by the same order St. Elizabeth's Hospital, Freedman's Hospital, and the functions relating to Howard University came to the Federal Security Agency. When the national defense program got under way in 1940, auxiliary social services became necessary, and several committees came into existence to handle these. By September 3, 1941, the picture had become clear enough for the President to assign all of the wartime social services to the Federal Security Agency.<sup>1</sup>

The location of the wartime social services in the Federal Security Agency even before war had been declared by the United States probably demonstrates that a flexible framework has been created within the federal government which is capable of absorbing any kind of major emergency functions which may be required in the future. If a depression comparable to that of the 1930's should occur, the Federal Security Agency (or perhaps, in the near future, a Department of Education, Health, and Welfare) would have some existing resources for meeting situations as they arise and could create additional divisions to handle emergency matters in co-ordination with each other and with the regular bureaus of the Agency. Because of its complete coverage of the United States and territories and its affiliation with state agencies, the Federal Security Agency is probably in a position to meet disasters of any kind at any time better than a small quasi-public agency, such as the American Red Cross.

<sup>1</sup> Executive Order 8890.

On July 16, 1946, the so-called Reorganization Plan No. 2 went into effect. By this action the Children's Bureau was transferred from the Department of Labor to the Federal Security Agency and made a part of the Social Security Administration. The functions of the United States Employees' Compensation plan were transferred to the Agency, and the Division of Vital Statistics came over from the Department of Commerce. The latter became the National Office of Vital Statistics in the Public Health Service. The Social Security Board was replaced by a Commissioner of Social Security.

In the same year, some important legislation was adopted. The National Mental Health Act laid the groundwork for improving the mental health of the people through research, experiments, demonstrations, and treatment of psychiatric disorders. In 1948 legislation was adopted which established the National Heart Institute and the National Institute of Dental Research. Another act provided for the transfer of administration of the Federal Credit Union Act and the Federal Deposit Insurance Corporation to the Federal Security Agency, and these functions were assigned to the Commissioner of Social Security. In order to carry out effectively these changes in the Agency, Agency Regional Offices were established, and all of the regional offices of the various services now included in the Federal Security Agency were co-ordinated under the direction of an Agency Regional Director.<sup>1</sup>

Figure 6, page 82, shows the organization of the Agency under date of January 17, 1949. The classical nomenclature for levels of administrative organization in a federal department is not seen in this chart. Usually a department consists of bureaus, divisions, sections, and subsections, but with some staff units which may be called "offices" or "divisions." The major functional units of the Federal Security Agency, however, had been in existence for not less than 5 years but as long as 150 years. The Public Health Service and the old Social Security Board had bureaus of their own before the Federal Security Agency was created, and these bureaus in some instances were huge administrative units and were retained for practical reasons. Those units on the diagram called "Office of

<sup>1</sup> The material summarized above was taken from "a historical statement of the Agency from the time of its initial organization in 1939 up to the present" in a letter dated March 1, 1949, from L. W. A'Hearn, Director of Administrative Planning, Office of the Federal Security Administrator, to the author.

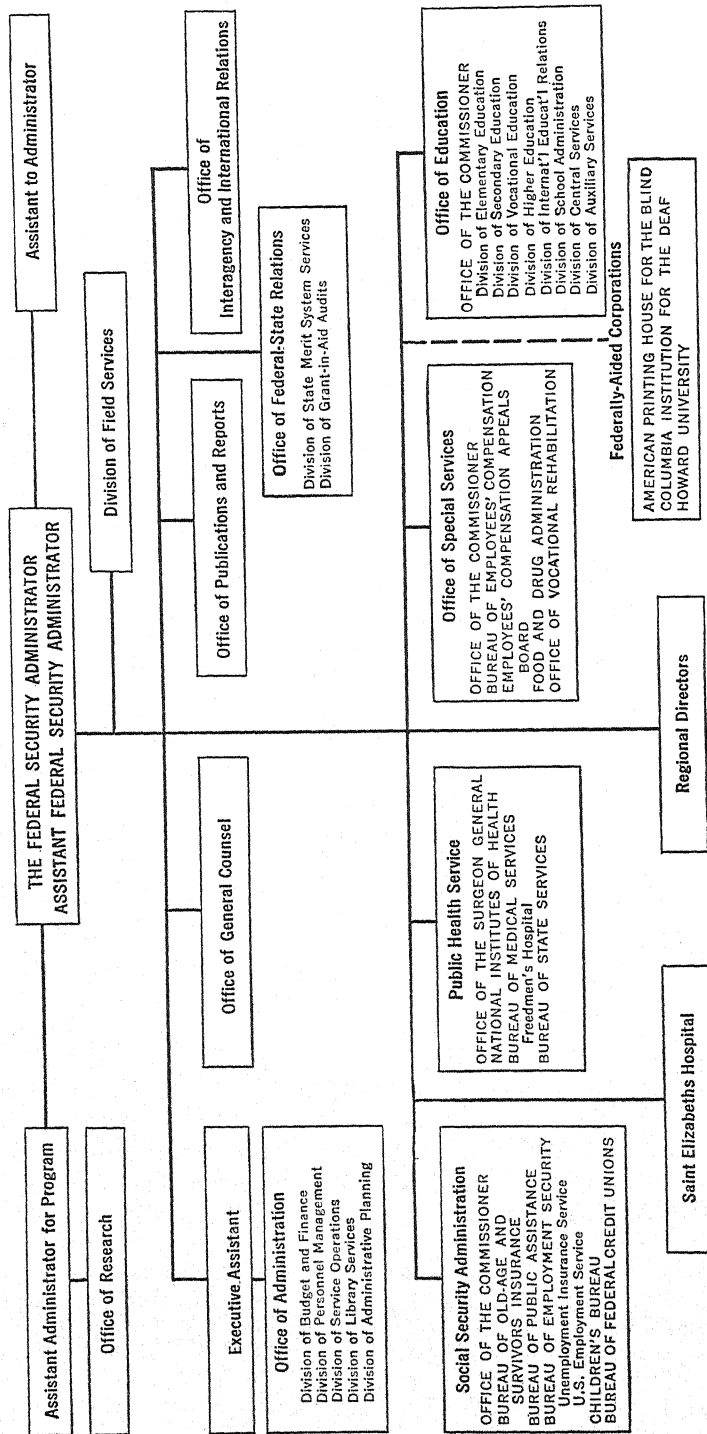


FIGURE 6. ORGANIZATION OF THE FEDERAL SECURITY AGENCY

Note. The Bureau of Public Assistance of the Social Security Administration was transferred to the Department of Labor by the President's Reorganization Plan No. 2, July 1, 1948.

Administration" and "Office of Education" could be called bureaus in the traditional sense, because their major units are called divisions. As an organization, then, the Federal Security Agency is less integrated than, for example, is the Department of Labor or the Department of Agriculture.

Yet there are good philosophical reasons for putting educational, health, and public welfare functions into one major administrative unit of the federal government. The services provided under all of them are concerned with developing, maintaining, or restoring working capacity. They exist to conserve our human capital and by so doing to enhance the creative activities of the people. The several major units of the Agency now behave more like partners in a common enterprise than they did prior to its formation, and the external trappings of partnership, at least, have become more obvious since the reorganization in 1948. A simple act of Congress would make the Agency a regular department, would give the Administrator the dignity which his responsibilities warrant, and would assure the country more efficient services directed to the conservation of human resources.

The Federal Security Agency has 12 regional offices through which all the services shown in Figure 6 are brought nearer to the consuming public. The regional office is simply the general office on a smaller scale, but the means by which federal security services are carried from this point differ considerably. Some of the administrative units of the national office are not represented in the regional offices: they are the Office of Education, St. Elizabeth's Hospital, and Federally-Aided Corporations. These either operate out of Washington directly to the state or local agency involved or they have no operating relations with state or local governments or with independently established local agencies. The Public Health Service has a vast research program under way which is in considerable measure conducted by the Service through the Institutes, but it aids in a great variety of ways state and local health agencies in carrying on their duties and improving their services. Within the Social Security Administration the ways of serving the people vary. The Bureau of Old Age and Survivors Insurance has its regional representative, but he has only incidental, or no, dealings with state or local agencies. He is concerned with direct administration of services to the consumer, and this is done through area and field offices established by the Bureau and responsible solely to the federal

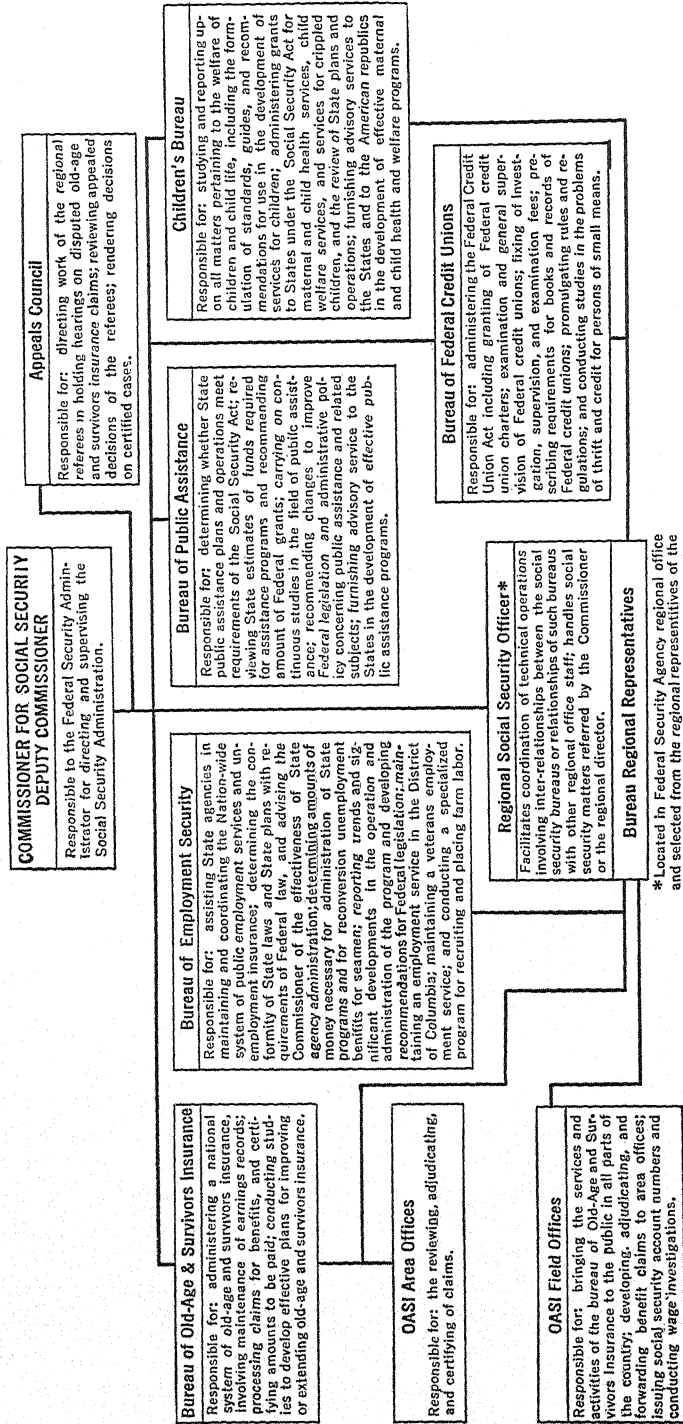


FIGURE 7. SOCIAL SECURITY ADMINISTRATION OF THE SOCIAL SECURITY AGENCY  
NOTE. The Bureau of Employment Security is now in the Department of Labor. See Note to Figure 6, page 82.

agency. The Children's Bureau has a relation to the consumer of services very much like that of the Public Health Service. It deals with agencies but, except in certain research activities, not with the ultimate consumer. The Bureau of Employment Security through its regional representative deals only with state unemployment insurance and employment service agencies. The Bureau of Public Assistance likewise operates through the state public assistance agency, but by this means perhaps concerns itself more with local agency problems. All of these programs administered by the Federal Security Agency aim to improve services to the ultimate consumer by persuasion, pressure, or direct service. They achieve this end by striving to raise the quality of personnel in state and local agencies, by making available technical advice and aiding with research, by providing cash grants-in-aid or money payments to the consumer, and by assisting with state legislation.

Because of the relatively greater importance of the Social Security Administration to public welfare services, the diagram of its organization is given on page 84. This organization was announced August 2, 1948. With minor changes it is still in operation. At one time or another social workers in state and local agencies will have business with the Public Health Service, the regional representative of the Office of Vocational Rehabilitation, and possibly with the Office of Education; but in the main, their opposite numbers are in some unit of the Social Security Administration.

### QUESTIONS

1. What overlapping of activities do you find in the federal organization of public welfare services? What improvements since 1939?
2. Should the Veterans' Administration be transferred to the Federal Security Agency? If so, why? If not, why not?
3. Should the Federal Security Agency with its state and local affiliates assume responsibility for relief in such emergencies as follow great fires, floods, earthquakes, or other types of disaster?
4. Is there sufficient justification for retaining the Bureau of Prisons in the Department of Justice, or should it be transferred to the Federal Security Agency?
5. If another major depression should occur, should independent emergency agencies be created to provide relief and work relief or should regular agencies, such as the Federal Security Agency and the Federal Works Agency, be utilized for temporarily expanded services?



## CHAPTER IV

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### STATE ORGANIZATION

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State public welfare organization began to assume importance after 1863 when the first board of state charities was created in Massachusetts. Up to that time the state governments had established isolated institutions for certain classes of the population, but there had been no serious attempt to co-ordinate the services of these institutions. The groups needing public attention were the same then as today: insane, epileptic, feeble-minded, deaf and dumb, blind, tuberculous, criminal, delinquent, dependent and neglected children, invalid, aged, able-bodied unemployed, sick, and socially maladjusted. As knowledge of economic, social, and mental problems increased, the states widened the scope of their activities and brought together related services in a single administrative unit.

All of the numerous small problems of state organization can be considered in connection with a few major problems. Since all important public welfare services were brought together in a single state department in Illinois in 1917, there has been a drift toward reduction in the number of independent state agencies, but there remains considerable difference of opinion regarding the single department. Although much evidence from experience may be assembled regarding this question, the development of criteria upon which sound judgment can be based still waits upon more detailed, factual research than has yet been done. The type of public welfare authority raises another question, to which three answers have been given by various states. Some states have full-time administrative boards, others have policy-making boards, and still others have a single executive head. Among people of experience the administrative board is generally regarded as the least satisfactory of the answers to this question, but there is little agreement concerning the other two. The internal organization of a welfare department raises more limited questions which relate to specific objectives of

the law. They can usually be answered by intelligent executives in such a way as to accomplish their purposes, but questions arise as to line and staff organization that are obviously debatable. Finally, a number of questions may be asked regarding the relation of the state public welfare agency to other state departments and to federal departments. Decisions involving these relationships are made only to a limited extent by the executive branch; if the relationships established are to be mandatory and have legal validity, they must be established by the legislature at the time public welfare bills are enacted into law.

### NUMBER OF STATE AGENCIES

Should we gather up all of the state public welfare services and put them into a single administrative unit of the state government? Or should we attempt to define certain groups of more closely related services and create two or more state departments whose functions are recognized to be of a public welfare nature? To these questions there cannot yet be given any final answer which would be accepted by all students of public welfare organization or by all state legislatures. However, the problem can be stated in such a way as to indicate the questions which require answers.

**Examples of State Organization.** Prior to the creation of the Illinois Department of Public Welfare (in 1917) the state boards of charities and corrections had only advisory relations to the state institutions. They possessed some powers of investigation and some responsibility for reporting to the governor on the conditions of the institutions. But the head of each institution was appointed by the governor, or in a few states by the board of trustees of the institution, perhaps with the approval of the governor. The states had profited only slightly from the example of departmentalization set by the federal government; for state governmental functions, other than public welfare, were in the main decentralized. The governor had to deal with and supervise dozens of executives instead of perhaps ten or fifteen; in Indiana up to the time of the passage of the Administrative-Executive Act in 1933 the governor had 102 departments and independent agencies reporting to him. The Illinois Administrative Code of 1917 set an example for departmentalization of state government, but only a few states have made as thorough-going an effort to achieve it.

Alabama is an example of a state which has done a good deal in recent years to modernize its public welfare system, but has retained

TABLE 4  
STATE PUBLIC WELFARE AGENCIES IN ALABAMA <sup>1</sup>

AGENCY	TYPE OF AUTHORITY
Department of Public Welfare	State Board of Public Welfare
Alabama Insane Hospitals	Board of Trustees
Epileptic Colony	Three Commissioners
State Prisons	State Board of Administration
Boys Industrial School	Board of Directors
Girls Industrial School	Board of Trustees
Sanatorium for Tuberculosis	Board of Trustees
School for Deaf and Blind	Board of Trustees

a decentralized type of organization. Table 4 shows the organization of the principal public welfare services in Alabama. The governor appoints these sundry boards and is ex-officio chairman of several of them. The functions of the various agencies are apparent from the names, except in the case of the Department of Public Welfare, which is responsible for general relief, public assistance under the federal Social Security Act, child welfare services of various kinds, and noninstitutional mental hygiene services. The governor has many other state departments and independent agencies among which his time must be divided, and it should be obvious that even if by chance he had had experience in public welfare administration, he could not keep sufficiently in touch with each of these public welfare agencies, while running the business of the whole state, to have an informed opinion about their problems. The problems of the director and the board of the Boys Industrial School are in the nature of the case more specific than those of the director and the board of the Department of Public Welfare. Direct access of the multiplicity of directors and boards to the governor may give them a feeling of importance, but it probably contributes nothing to the efficient performance of their functions, while it absorbs much of the governor's time which should be given to matters of broad state policy. The appointment of members of the several boards may carry certain political advantages to the governor, but they too are unrelated to the quality of service rendered.

<sup>1</sup> Reference is made to the *Alabama Code of 1928* and the *1936 Cumulative Supplement*.

The number of state agencies in New Jersey was greatly reduced by the creation of the Department of Institutions and Agencies in 1918. Table 5 shows the three state agencies now operating in the

TABLE 5  
STATE PUBLIC WELFARE AGENCIES IN NEW JERSEY

AGENCY	TYPE OF AUTHORITY
Department of Institutions and Agencies	Board of Control <sup>1</sup>
State Financial Assistance Commission	Commission <sup>2</sup>
State Commission for Rehabilitation of the Physically Handicapped	Commission <sup>3</sup>

public welfare field. The first and third of these agencies are co-ordinated by the Commissioner of the Department of Institutions and Agencies, who is also a member of the State Commission for Rehabilitation of the Physically Handicapped. The institutions have boards of managers who are appointed by the Board of Control. The governor is, therefore, responsible for dealing with only one board and two commissions.

The Illinois Department of Public Welfare is a code department and includes all of the public welfare institutions and agencies except the Illinois Public Aid Commission. The latter administers all forms of public assistance directly or through local departments. At present in Illinois the governor deals directly with the Director of the Department and with the Commission, or more often in practice with the Commissioner who is the executive officer for the Commission. A number of other states, such as Missouri, Ohio, and New Jersey, have attained a high degree of integration of their public welfare services, but none of them went quite so far as Illinois. The controversial issue turns upon whether integration in spite of bigness is the desideratum.

**The Question of Co-ordination.** Even if it should be granted that a single state administrative agency should be responsible for the administration or supervision of all public welfare services, which is not the case, the achievement of co-ordination in many states would require a long period of time. Historically a public welfare service

<sup>1</sup> *Cumulative Supplement to Compiled Statutes*, secs. 34-44.

<sup>2</sup> *1936 Laws*, ch. 83, sec. 3.

<sup>3</sup> *Social Welfare Laws of the Forty-Eight States*, compiled by Wendell Huston. Section on New Jersey, p. 44.

has been undertaken by a state when the need for it could no longer be ignored. A "public welfare system" has until recently been largely an academic question, but it is clear that organization is now proceeding in that direction. Particular services, such as the care of the insane or child welfare, have been instituted at different times in a period when there was less interest in public administration. Special groups among the electorate have sponsored and promoted one service or another. When legislation was finally passed, there was a board, an advisory committee, or a single executive to be appointed. If the legislation was promoted by a political leader, then he had a special interest in the organization. These people with special interests, whoever they were and however public-spirited they may have been, were often concerned not merely with making sure that the service would be performed, but with the establishment of the service as a special state administrative agency responsible directly to the governor. They wanted both a service category and an administrative category for the service. It was believed that properly to recognize a need required not only the definition of a service but the definition of an administrative entity. This new entity, they thought, must have a certain isolation in order to obtain the attention it deserved.

Considerable weight is attached to the fact of direct access to the governor by the head of a department or an independent agency. It is often believed that the new service is more likely to get the consideration it needs if the presentation of its case is unencumbered with the interests of other services. Once the new service becomes established, it rapidly develops its own traditions and vested interests which make change unwelcome. These tend to blind the leaders to the value of co-ordination with other related services. The Indiana State Probation Commission is a good illustration of this situation. This commission was from the beginning responsible to the governor. When the Administrative-Executive Act was passed in 1933, the Probation Commission became a division of the "executive department," a congeries of more or less unrelated administrative units of which the governor was the administrative head. When the new public welfare bill was being drafted in 1936, it was proposed that the commission be transferred to the new department of public welfare along with the other penal and correctional services.<sup>1</sup>

<sup>1</sup> The author was a member of the Committee on Social Security appointed by Governor Paul V. McNutt to draft public welfare and social security legislation in 1935-1936.

A majority of the commission, as well as the director, opposed this step on the ground that probation needed the advantages supposed to go with separation from other public welfare services; and the National Probation Association aided and abetted this particularistic viewpoint. The commission was omitted from the new department because of the opposition which was stirred up among the judges and other persons having a special interest in probation. Collection of statistics and the holding of examinations for probation officers are the chief functions of the commission. Neither of these activities has ever been carried on with distinction. The new Division of Corrections in the Department of Public Welfare, however, has attained wide recognition for the quality of its personnel, selected under a special merit system provided by law, and for the generally high grade of administration. There was no rational justification for leaving the Probation Commission out of the reorganized public welfare system, but the vested interests of persons having special interest in the commission as established were strong enough to prevent a better type of organization, and the National Probation Association, with its own interests in view, threw its weight to the maintenance of the *status quo*. Neither direct access to the governor nor isolation has enabled the commission to do a distinguished piece of work. It would, therefore, seem that independent organization is much less responsible for successful administration than is sometimes supposed.

Another reason sometimes given for the creation of a number of independent state welfare agencies is that the chief executive position in an agency carries more prestige if the incumbent is appointed by the governor and has direct access to him, than it does if the incumbent is appointed by and is responsible to a higher executive who stands between him and the governor. This is a special form of the argument stated above. If the position has greater prestige, then the assumption is that for a given salary a higher grade of persons will be attracted to it. Several questions may be asked at this point which suggest their own answers. In state government, is it not generally the practice for the governor to appoint the heads of all departments and independent agencies who are not elected by vote of the people? Is not political availability the first qualification which such a person must have? (The governor could not afford to appoint a political enemy—that seems obvious.) If so, in the ordinary course of events is an incumbent not likely to be replaced when

a new governor is elected? As a matter both of experience and of logic these questions must be answered in the affirmative. It should follow also that the smaller the agency, the less the prestige of the top executive position. Consequently, it would seem that from the viewpoint of a high-grade professional service the prestige argument has little weight because of the nature of politics in a democracy.

The inclusion of all public welfare services in a single department results in an immense organization in the larger states. This is believed by some to be a serious disadvantage of co-ordination. If size be considered in terms of staff, the funds expended, and the number of citizens affected, it is clear that today a state public welfare department of the co-ordinated sort will be large. That it is so unwieldy that no executive is capable of directing it, may be questioned. A state has an official, often called a superintendent of public instruction, who may be elected or appointed and who is the executive head of the state public school system—except generally the state institutions of higher education. It would be possible to split up the state department of education and create divisions of elementary education, secondary education, and vocational education, and to make the heads of these divisions responsible directly to the governor, but probably no educator or politician would seriously propose such a step. Yet in terms of personnel, budget, and citizens affected, the department of education normally has larger responsibilities than the department of public welfare. In the federal government no one questions the high qualities of the heads of the Children's Bureau, the Bureau of the Census, or the Bureau of Agricultural Economics, yet all of these bureaus are subordinate units in regularly established federal departments. The heads of the bureaus may be appointed by the President, but they are not considered political appointees and are not ordinarily changed when a new President is elected. The directors of such bureaus as these have great prestige without having direct access to the President. When the Federal Security Agency was created by President Roosevelt, a long step toward co-ordinating the social services of the federal government was taken. This agency by any measure is much larger than any state public welfare department would be. If the organization of the state department of public welfare is properly planned and able division heads are employed, the size of the department is not an obstacle to effective administration.

One of the major problems is to secure able division heads. We

probably have to assume that the head of the state agency will be appointed in most cases by the governor or will have to be *persona grata* to him under any circumstances—though New Jersey is an exception to this practice. Little objection can be made to the claim of a new state administration that it has the right to name the heads of departments and agencies who occupy policy-making positions; presumably the governor and his ticket are elected because they present certain viewpoints with respect to state governmental policies, and since the citizens elect them it is reasonable that they should try to carry into effect the policies for which they stand during the campaign. That is democracy as contrasted with the objectionable form of bureaucracy which cannot be held to responsibility to the people. But division heads are administrative officers; they do not make policies except as they furnish information and expert advice regarding policies to the public welfare authority. There is no defensible reason for leaving their appointment to the reigning political powers that be, and there is every good reason for selecting them on the basis of their technical competence and administrative ability and for giving them civil service tenure. The problem is to pay them salaries which are adequate to attract men and women of ability and professional competence. It is frequently difficult to induce legislatures to authorize salaries of division heads which are high enough to make it worth while for persons of good ability to look forward to a lifetime in the service. But salaries for such positions have been rising, relative to the salary of the head of the department, and there is every reason for pushing them up still further. While it is traditional for the head of a department to receive a higher salary than any other employee of the department, the tradition has been broken in the case of highly important technical and subordinate administrative positions.<sup>1</sup> If all positions below that of the head of the department are filled from civil service lists and if the compensation schedule is adjusted upward to attract able persons, the chances of a high order of administration of a particular service would appear to be much better in a general department of public welfare than they would be in the case of independent status with a politically appointed executive.

<sup>1</sup> For example, the maximum authorized salary of the Commissioner of Placement and Unemployment Compensation in Illinois was considerably higher than the salary of the Director of the Department of Labor, to whom the Commissioner is subordinate. The compensation of superintendents of some state institutions amounts to more than the compensation of the head of the department.



The development of a career service in state public welfare administration is of the utmost importance. Many of the positions require technical education and experience, which are expensive to obtain. Young people are reluctant to spend large sums of money to obtain professional education if their employment depends upon the accident of political appointment. They could expect to practice their professions only now and then. Public welfare workers need the same protection from political interference as school teachers are assumed to receive. Obviously the development of a career service is facilitated by co-ordinating the welfare services. If they are divided among several different independent units, there can be no regular transfer and promotion of workers from one agency to another, and the result is a reduction in the attractiveness of public welfare administration as a career for young people. On the other hand, an integrated department of public welfare which secures its personnel under a civil service law or a special merit plan offers positions which are well worth working many years in order finally to occupy.

There are certain other advantages of a single department of public welfare which decentralization, such as that seen in Alabama and in less degree in Massachusetts and New York, cannot offer. The whole range of services offered by a co-ordinated department are more easily available for treatment. Referrals and transfers of clients from one service to another are facilitated. Considerable duplication of clerical, managerial, and supervisory staff can be avoided, and hence more economical use of administrative funds is possible. If as a matter of fact weaknesses are found in co-ordinated departments, which apparently would have been avoided by decentralization, they are not inherent in the system, whereas many of the weaknesses of decentralization are inherent and probably cannot be eliminated.

The principle of co-ordination can be successfully applied only to services which have a natural affiliation. We may, for example, question the inclusion in a department of public welfare of services to deal with all of the problems mentioned earlier in this chapter. Schools for physically handicapped children are first of all state educational institutions. The children who attend them are not necessarily dependent; under many state laws afflicted children must attend the appropriate state school unless the family can provide special training which is equally as good as that provided by

the state. The schools for the deaf and the blind are substitutes for the local schools to which children go under the compulsory school laws. Day schools for the deaf are operated in over half the states by local school boards, but little attempt has been made by local boards of education to give special instruction to the blind. All states have schools for the deaf and for the blind, or they have made arrangements with neighboring states to receive their handicapped children. The major purpose of the state schools is education—education requiring special methods of instruction. Children who are physically handicapped because of crippling conditions have been provided for in some local school systems, and the state departments of education through their divisions of vocational rehabilitation make arrangements for special education of both children and adults in order to prepare them for occupations. There are social case-work problems in connection with education for all types of physically handicapped, but they are not the primary problems, and an intelligently organized school for the deaf, blind, or crippled should have one or more social case workers on the staff who would be specialists in an educational institution as medical social workers are specialists in a hospital. Hence, it would seem that the schools for the physically handicapped might properly be under the state department of education rather than the department of public welfare.

It has occasionally been suggested that the state schools for delinquent children belong to the state department of education, but these institutions do not have the relatively simple problem of education which is characteristic of the schools for the physically handicapped. The correctional schools are educational institutions, but their pupils are there not because of any physical defect but because of antisocial-behavior patterns. Academic and vocational education along with discipline and recreation are means of reconstructing the behavior patterns of the children. The children are not committed to these institutions to learn to read, write, or lay brick, but to learn to be good citizens, albeit learning to read, write, and lay brick may contribute to the development of socialized youth. The program of each child in a correctional institution must be individualized; the child must be "classified" with respect to his specific problems. This requires the methods of a social case worker rather than those of the conventional school teacher. The professional education of the public welfare worker is more directly related to the problems of the delinquent child than is the professional education of the public school

teacher. For these reasons the interests of the children are probably served better by the department of public welfare than they would be by the department of education.

The question of where the administration of health services should be placed in the state government has not been an urgent one until recently, because few state departments of health prior to the depression of the 1930's were concerned with the health of the individual. They gave their attention almost exclusively to sanitation, epidemiology, and vital statistics. The department of public welfare cannot escape the necessity of finding or creating health agencies to which its clients can be referred for treatment. Most state health departments have regarded their duties as strictly relating to "public health," and, prodded by the local and state medical societies, they have for the most part declined to give medical services to individuals. But Title V of the federal Social Security Act has brought the state health agency into the picture: one condition for the receipt of funds for maternal and child health is that state legislation relating to maternal and child health shall "provide for the administration by the State health agency or the supervision of the administration of the plan by the State health agency." The state plan for crippled children does not have to be administered or supervised by the health agency, but it must provide for co-operation with the health agency. Chapter IX will show how the states will be involved further in giving medical services when the national health program is enacted into law by Congress. Should the plan for the treatment of sick individuals be administered or supervised by the state health department or by the department of public welfare? If it is in the hands of the health department, then considerable numbers of medical social workers will have to be employed, and there will have to be close co-operation, required by law, with the welfare department. The same reasoning applies to the administration of sanatoria for tuberculosis and of venereal disease clinics; technically these services should be under the health agency. If the state health agency is reactionary and cannot understand, or admit, the social function of medical care for the masses of the population, then the state may be compelled to lodge the administration or supervision of individual medical care with the department of public welfare.

We may now list again the services which belong in a co-ordinated state department of public welfare: they are services for the insane,

epileptic, feeble-minded, delinquents, criminals, invalids, aged persons, able-bodied unemployed, dependent or neglected children. For the unemployed, the aged, widows, orphans, and the industrially injured the social insurance system is the first line of defense, but when persons are not protected by any of the social insurances or have exhausted their rights to benefits, they fall back upon the public welfare system as the second line of defense. By 1939 the undeniably public welfare services had been completely, or almost completely, co-ordinated in fourteen states, besides the District of Columbia: Georgia, Illinois, Indiana, Kentucky, Maine, Minnesota, Nebraska, New Jersey, North Dakota, Ohio, Rhode Island, Tennessee, Texas, and Vermont.<sup>1</sup> The movement toward administrative co-ordination dates from the passage of the Illinois law in 1917; thus, in little more than 20 years more than a fourth of the states had adopted co-ordinated or approximately co-ordinated systems of public welfare services, but by 1950 some had been split again.

#### TYPE OF AUTHORITY

There are three well-known types of state public welfare authority: the administrative board, the policy-making board, and the single executive. The administrative board, or plural executive, gives full time to the department; the salaries of the members of the board are usually stated in the law. The policy-making board determines major policies and usually selects the chief executive officer of the department; the members may receive per diem compensation for their services, or they may serve without compensation. The single executive is appointed by the governor and is in effect a member of the governor's cabinet; there may be an advisory board attached to the department, but it has no administrative responsibility or power.

**Administrative Board.** The administrative board is composed of three to five persons who are appointed for definite terms by the governor. The members give full time to the department and constitute a plural executive. In 1938 nine states had this type of authority.<sup>2</sup> The administrative board is known variously as board of control, or board of administration, or board of social welfare. A board of control usually has other responsibilities besides those of

<sup>1</sup> Robert C. Lowe, *State Public Welfare Legislation*, 1939, p. 35.

<sup>2</sup> Marietta Stevenson, *Public Welfare Administration*, 1938, p. 151.

public welfare. The administrative boards of Minnesota and Texas will be used for purposes of illustration.

The public welfare and social security legislation in Minnesota was partly rewritten in 1939, and the state organization was radically changed. A Department of Social Security was created with three divisions: public institutions, social welfare, and employment and security. The last-named is responsible for administering the state employment service and unemployment compensation.<sup>1</sup> Each division has a director appointed by the governor for a term of four years, and the three directors constitute the Social Security Board of Minnesota. The director of the Division of Social Welfare is chairman of this board. Each director is empowered to organize his division, appoint personnel, and define the duties of employees. It appears that the directors are independent of one another and that their divisions are very much like separate state departments. However, considerable co-ordination of activities is provided for: "The board shall have the power and duty to co-ordinate the functions, activities, budgets, and expenditures of the several divisions of the department and to provide for prompt exchange of information between divisions so as to avoid duplication and promote efficiency and economy. In all cases where the different divisions have similar or related functions, it shall be the duty of the board to provide, by rules and regulations, for the joint use by such divisions of information, services, and facilities relating to the performance of such functions, so far as practicable. Otherwise the board shall not have power to direct or control the acts of any member of the department except as expressly authorized by law."<sup>2</sup> The amount of co-ordination of the three divisions will depend upon how much interest the directors have in co-ordination. There is no single executive except the governor who could order them to work together more closely, and the governor has many other state departments whose activities he must supervise and on occasion co-ordinate; he is not likely to have time to investigate the effectiveness of divisional relationships. Because the law specifies the duties of each director and because each is appointed by the governor, the

<sup>1</sup> The inclusion of the employment service and unemployment compensation in the same department with the conventional public welfare services is quite unusual. The state of Washington created this type of organization but removed the employment service and unemployment compensation in 1938. Minnesota is following somewhat the pattern laid down by the Social Security Act for the Social Security Board.

<sup>2</sup> *Laws of 1939, Minnesota, ch. 431, art. 7, sec. 5.*

joint action of the directors is likely to be little more effective than some voluntary co-operative agreement between the directors of three departments. Their terms expire at the same time, and a new governor may reappoint none of them, in which case whatever routine for co-ordination has been built up will probably be lost. If they had staggered terms, the chances of developing continuous policies would be better. The Minnesota Social Security Board bears some resemblance to an administrative board and some resemblance to the single executive type of authority.

The Texas Board of Control has three members who are appointed by the governor for overlapping terms of six years each. The law outlines the duties of the board as follows:

"The board shall administer the laws relating to the various departments, boards, institutions, and public officers of the government herein named, and perform the additional duties and exercise the additional functions provided for in this title, and may combine under the following divisions of its work:

1. Division of printing.
2. Division of purchasing.
3. Division of auditing.
4. Division of construction, design, and maintenance.
5. Division of estimates and appropriations.
6. Division of eleemosynary institutions.
7. And such other divisions of its work as it may find necessary in the administration of its duties." <sup>1</sup>

Besides the management of the eleemosynary institutions, the board has responsibility for most of what might be called the business management of the state. It may appoint a chief of the Division of Eleemosynary Institutions who is "an acting practicing surgeon." It appoints all officers and employees of the institutions but apparently, as the law is written, is supposed to discharge employees only on recommendation of the superintendent. There is no merit system for the selection of officers and employees, and tenure of office is at the pleasure of the superintendent, who in turn holds his office at the pleasure of the board. Obviously if the spoils system with respect to personnel is not operating twenty-four hours a day, it is through no fault of the legislature which defined the duties of the Board of Control; the legislators did everything they could to

<sup>1</sup> 1936 *Vernon's Statutes*, Texas, art. 603.

provide for a perfect spoils system, barring one exception, and that is the provision of relatively long, staggered terms of office for the members of the board. One member of the board is directed by law to visit each institution at least once a month and to keep a record of his visits. Unless as a matter of fact all members engage in this inspectorial service, it would easily require the full time of a single member. There is a division of assignments among the members of the board; they tend to specialize according to a plan upon which they agree. However, the members of the Texas Board of Control act jointly in a more complete sense than do the members of the Social Security Board of Minnesota, but they are able to do this chiefly because two members of the board accept the recommendations of the third member. That is, each member virtually determines policy and action with respect to those things to which he gives his particular attention. In order to operate at all a plural executive has to divide duties; there may be rivalry among the members, one of them may completely dominate the others, or they may work together with reasonable harmony.

Students of public administration usually regard the plural executive as the least desirable form of authority. Although it has often been introduced as a means of removing public welfare services, as well as other services, from spoils politics, it has by no means succeeded in doing this in probably a majority of cases, and it has resulted in delay and diffusion of responsibility. Professor John A. Fairlie has summarized the opinion of administrative boards that is commonly held by students of public administration: "For the conduct of administrative services there should be a responsible single executive. There will remain, however, a place for boards in conducting inquiries and in planning new undertakings, as well as in the management of emergency or temporary tasks."<sup>1</sup> The plural executive is a very old administrative device, as Fairlie points out, but it has had only limited success. Perhaps the prototype of the plural executive was the Triumvirate which Julius Caesar created and which proved to be a misfortune for the Roman Empire. It was common in some European countries during the Middle Ages, and it had a considerable revival in English-speaking countries after the French Revolution. Since public administration has been the subject for widespread research in the United States, the plural executive has been found unsatisfactory. The plural executive should

<sup>1</sup> "Administrative Boards," *Encyclopedia of the Social Sciences*, Vol. 2, 1930, p. 609.

not be confused with a plural court. The functions of a court with more than one judge, or of an administrative tribunal, are deliberative. These bodies are adjudicatory; they determine issues and compromise controversies. They are not executive agencies but are either in the judicial system or closely allied thereto in principle. The plural court has proved to be highly successful; the plural executive rarely so.

**Policy-Making Board.** The policy-making board is to a very limited extent administrative. It is usually composed of an odd number of persons who are appointed by the governor for overlapping terms of four to eight years' duration. The statute may prescribe the appointment of members from two or more political parties, or it may omit any reference to political affiliation other than to limit the political activity of members of the board. The board meets at stated times, often once a month, and on call. Its administrative activity is restricted to the making of rules and regulations, the appointment of the chief executive, and review of the work of the department. The board thus exercises control over administration but is not supposed to intervene in routine administration except as there appears to be a failure to carry out policies or a contravention of policies. Theoretically it represents the public in public welfare matters and brings differing viewpoints to bear upon administration. Since the board stands between the governor and the executive, it is assumed with some justification that political interference is prevented or greatly reduced. This type of public welfare authority will be illustrated by the Indiana and the New Jersey boards.

The present Indiana State Board of Public Welfare replaced the old Board of State Charities and Corrections in 1936. The new board is composed of five members, "who shall be appointed by the governor, as hereinafter provided, on the basis of recognized interest in and knowledge of the problems of public welfare, and not more than three members shall be adherents of the same political party. . . . The governor may, at any time, remove any member of the board for misconduct, incapacity, or neglect of duty."<sup>1</sup> Each member of the board receives compensation of \$300 per year in addition to traveling expenses. The board has regular monthly meetings and such additional meetings as may be necessary. With the advice and approval of the governor, the board selects and appoints an adminis-

<sup>1</sup> *The Welfare Act of 1936*, Part II, sec. 3.



trator who is the chief executive officer. The board makes all rules and regulations, and under a special merit system provided by law it classifies the positions in the department and arranges for examinations for the selection of employees. It can readily be seen that the administrator will be the governor's man. Originally there was no provision for the governor to suggest the name of a person for administrator, but what is not prohibited or required by law is permitted. The department has generally had first-rate administrators, who were selected by the governor and happened to be entirely acceptable to the board. In 1945 the legislature amended the law to provide for both selection and appointment by the governor. The administrator in Indiana is not formally a cabinet official, but for all practical purposes he is. The theory is that the governor is selected by the people, represents the people, and is obliged to carry out the policies implied in his campaign pledges. Hence he should be able to assure himself that the administrator is an acceptable person. However, the board should stand as a buffer between the incumbent administrator and the governor to prevent hasty and ill-advised changes.

The New Jersey State Board of Control of Institutions and Agencies differs in important respects from the Indiana board. Unlike the Texas Board of Control, it has no responsibilities outside the Department of Institutions and Agencies and is in fact simply a public welfare board. The New Jersey board is composed of the governor and eight members appointed for overlapping terms of eight years each. Since the governor of New Jersey has a three-year term, and is not eligible for the following three years, it is not likely that any one governor could appoint or control a majority of the board. The board selects and appoints the Commissioner (*i.e.*, director) of the Department of Institutions and Agencies. The board has full administrative control over all institutions and non-institutional agencies under the department. It achieves this control through the appointment of the commissioner, issuance of rules and regulations, a large measure of freedom in the use of appropriations, periodic inspection of institutions by its members, and review of the work of the department. The members of the board are appointed without regard to political affiliation and receive no compensation other than their actual expenses. Each institution has a board of managers that is appointed by the Board of Control, but within the limits of civil service rules the board of managers has

considerable voice in the selection of institutional personnel. Political interference is entirely precluded by the New Jersey plan. Since the reorganization in 1918, the department has had only three commissioners, all of whom were exceptionally good administrators. The department has achieved a reputation for high-grade personnel and a correspondingly high quality of services.

The policy-making boards of Indiana and New Jersey have been quite satisfactory. The Indiana board has somewhat less power than the New Jersey board; actually the ultimate power lies in the hands of the governor of Indiana. The New Jersey plan furnishes an example of complete elimination of political interference and of a highly independent status within the state government, while the Indiana plan provides an example of minimum political interference and of close co-ordination with the general government of the state. The New Jersey plan is much older than that of Indiana and has demonstrated its advantages. The Indiana plan was created by a Democratic administration and perpetuated by the new Democratic administration. During the Republican administration in 1945-48, some tendencies to disintegration appeared.

**Single Executive.** The department of public welfare with a single executive has no board or commission. The executive is appointed by the governor and is a cabinet officer. The traditions of the particular state determine whether or not a new governor replaces the head of the department. Obviously if the head of the department has identified himself with the affairs of a political party, he will be looked upon with suspicion by the other party and will be replaced when that party comes into power. The head of this type of public welfare authority makes the rules and regulations for the department. He may consult members of the staff, but he must assume full responsibility for what is done. The executive cannot "pass the buck"; both the state administration and the public hold him responsible. Public welfare systems of California and Illinois may be used as illustrations of the single executive type of authority.

California provides for a single executive—a director—at the head of the State Department of Institutions.<sup>1</sup> The Director of Institutions is appointed by, and holds office at the pleasure of, the governor. He appoints the superintendents or executive officers of

<sup>1</sup> The State Department of Social Welfare, however, is headed by the Social Welfare Board, which is a policy-making body resembling that of Indiana rather than that of New Jersey.

the state institutions but must have the approval of the governor to fix salaries. The superintendents of hospitals must be physicians with certain qualifications stated in the law. The personnel of the institutions, except executive officers, are selected and appointed under civil service regulations. Each superintendent appoints employees subject to the "approval of the Department of Institutions." Most of the institutions have boards of five trustees each, appointed by the governor with the consent of the Senate, but they have only advisory duties. The powers and duties of the director are in no way affected by the existence of these boards. Apparently the director is the only employee of the department who may be removed by the governor at will. Hence, political interference is reduced to a minimum.

The director of the Illinois Department of Public Welfare is likewise appointed by the governor, but with the consent of the Senate. Several other executives in the department are similarly appointed: assistant director, alienist, criminologist, fiscal supervisor, superintendent of charities, superintendent of prisons, and superintendent of pardons and paroles. Other employees, unless specifically exempted, are covered by the civil service laws. The superintendents or managing officers of the charitable institutions are among the exemptions; these are appointed by the department, which means the superintendent of charities and the director. Since both of these officers are appointed by the governor, it means that he may force the removal of the superintendents or managing officers; this has occurred in the past, notably during the administration of Governor Len Small. The law does not state any qualifications for superintendents and managing officers, nor does it indicate any regular procedure for their selection. It can easily be seen that not only is the director subject to political interference, but also the second-line administrative officers and the superintendents and managing officers who might be regarded as third-line administrative officers. It seems clear that the legislature was interested not merely in the control of policy through the appointment of the director by the governor, but also in political patronage, when it adopted the Administrative Code in 1917; succeeding legislatures and governors have found these well-paid positions eminently desirable as patronage and have seen no reason to improve the service at the expense of patronage. The director makes rules and regulations for the department. The Illinois department has some able men in high posi-

tions, but if the governor's influence on appointments were limited to the director and if all other positions were under civil service, the department would undoubtedly attract a larger number of first-rate people, because they would have a security of tenure that is now lacking.

As an example of the single executive type of authority, the California Department of Institutions is better than the Illinois Department of Public Welfare, because probability of political manipulation ends when the director is appointed. The Illinois department was larger and was therefore in greater need of the type of personnel policy found in California. The advantages of executive responsibility in state government are achieved when the department heads are appointed and removed at will by the governor; they are almost certain to be nullified when second- and third-line executives are subject to political interference. Set up as the California department is, the single executive type of public welfare authority is certainly as satisfactory as the policy-making board type, and it is more flexible where flexibility is needed. Nevertheless, it may lend itself to manipulation for ulterior purposes.

#### DEPARTMENTAL ORGANIZATION

The internal organization of a public welfare agency is determined by the purposes to be carried out and the ability of the executive to design suitable machinery for their accomplishment. A small agency presents fewer problems of communication and flow of work and has a simpler organization than a large department, but in the majority of the states questions of internal organization are difficult to answer and yet so important that they must be given at least tentative answers. The general problems of importance will be discussed as (1) staff and line problems and (2) the problems of communication and flow of work.

**Staff and Line Units.** Staff administrative units and staff personnel are engaged in gathering information, research, and planning. On the basis of their work advice is given to the head of the department or of a division. The head of the department is a line officer; his business is action. The divisions of the department which perform the services for which the agency was created are line units. However, many line units do investigative and planning work which is a staff activity. We do not find a strict segregation of staff and

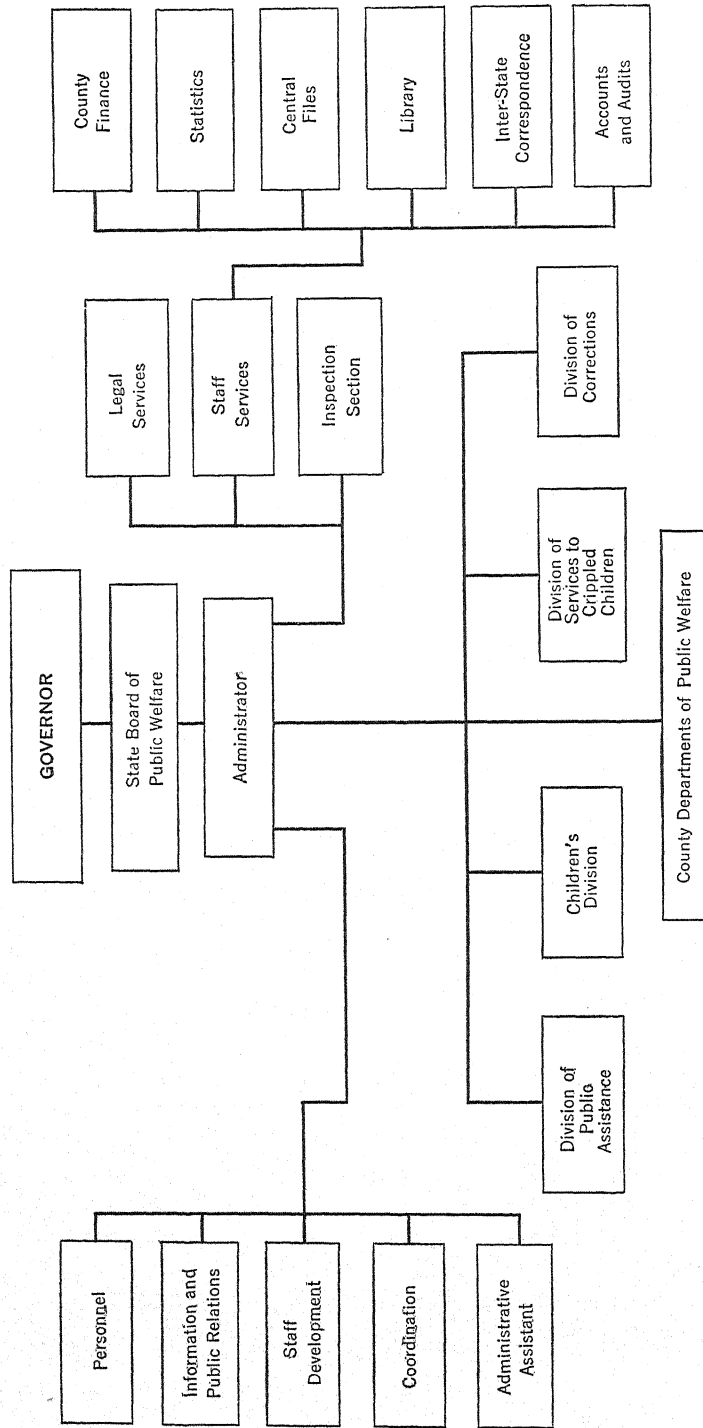


FIGURE 8. INDIANA STATE DEPARTMENT OF PUBLIC WELFARE

line activities,<sup>1</sup> and staff units frequently have some power of command which is a line function. The problems of staff and line organization can be described best by reference to sample charts. For this purpose the organization charts of the Indiana Department of Public Welfare (Figure 8) and the Ohio Division of Social Administration (Figure 9, pages 108-109) are used. The Indiana department operates through the county departments but with power to make rules and regulations which are obligatory upon the counties. The Ohio division administers several services directly and some in co-operation with the county departments or the boards of county commissioners. In Ohio the Division of Social Administration operates in an advisory capacity to the local agencies with respect to aid to dependent children and general relief, but it administers aid to the blind, while old-age assistance is administered directly by an independent division of the State Department of Public Welfare.

The Indiana divisions have equal status, although some of them in terms of budget and number of employees are much more important than others. The scale of salaries for directors of divisions is the same for all, but some of the directors are in fact paid more than others. The Staff Development unit in Indiana performs the usual staff functions, but the Interstate Correspondence unit is a line activity which serves the entire department. In the original organization of the department, most of the staff functions shown at each end of Figure 8 were grouped in a Division of General Administration, but by 1949 this type of organization had been replaced by a large number of staff sections responsible directly to the administrator. The practice of putting most staff functions into a division of general administration has been growing for the last three decades, but the Indiana department had deviated from this line of development by the early part of 1949. This type of administrative unit is not a pure staff organization but almost always has some line functions. For example, in all matters relating to finance and reporting, this sort of division is likely to have power to give orders as well as to assemble and analyze information. Public welfare services in Indiana and largely in Ohio are organized as a state-county system. The county departments administer the laws under the supervision of the state department, but in Ohio the creation of county departments is discretionary with the board of county commissioners, and only about half the counties have them.

<sup>1</sup> For a more general discussion of line and staff organization, see pages 24-26.

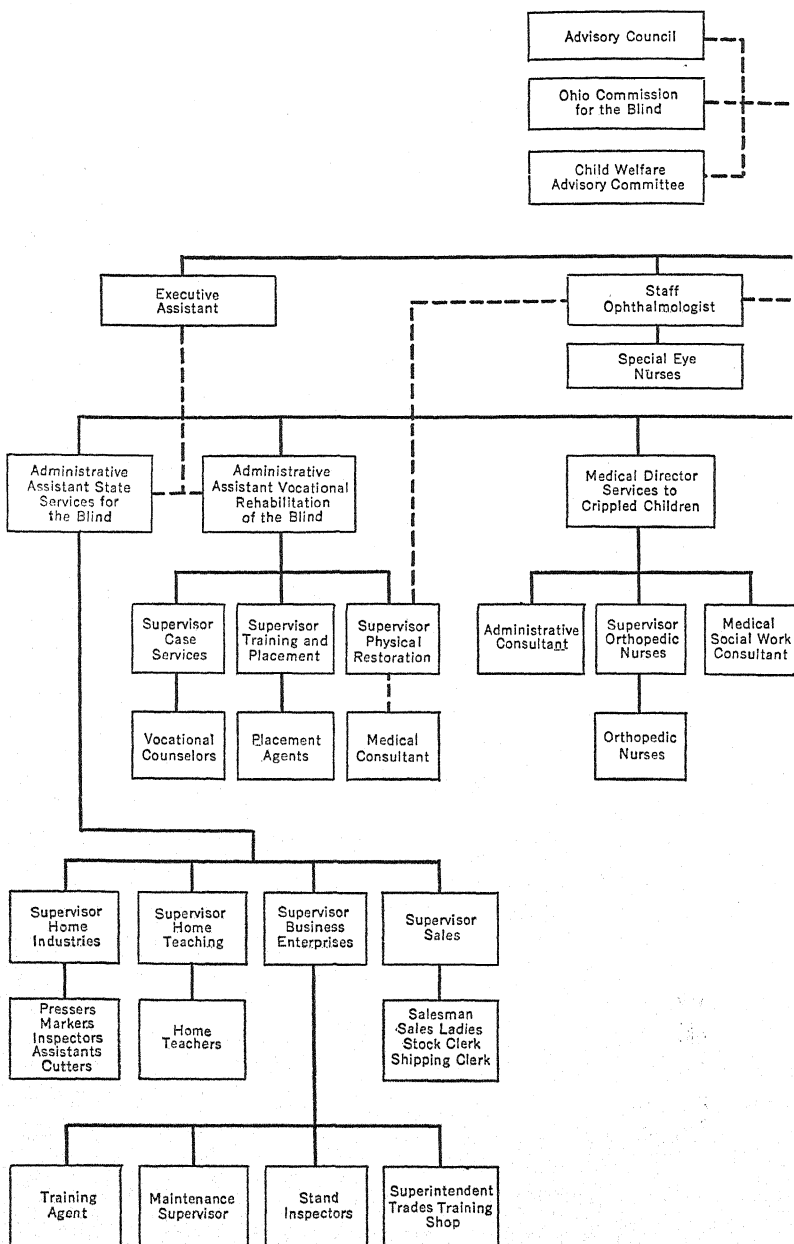
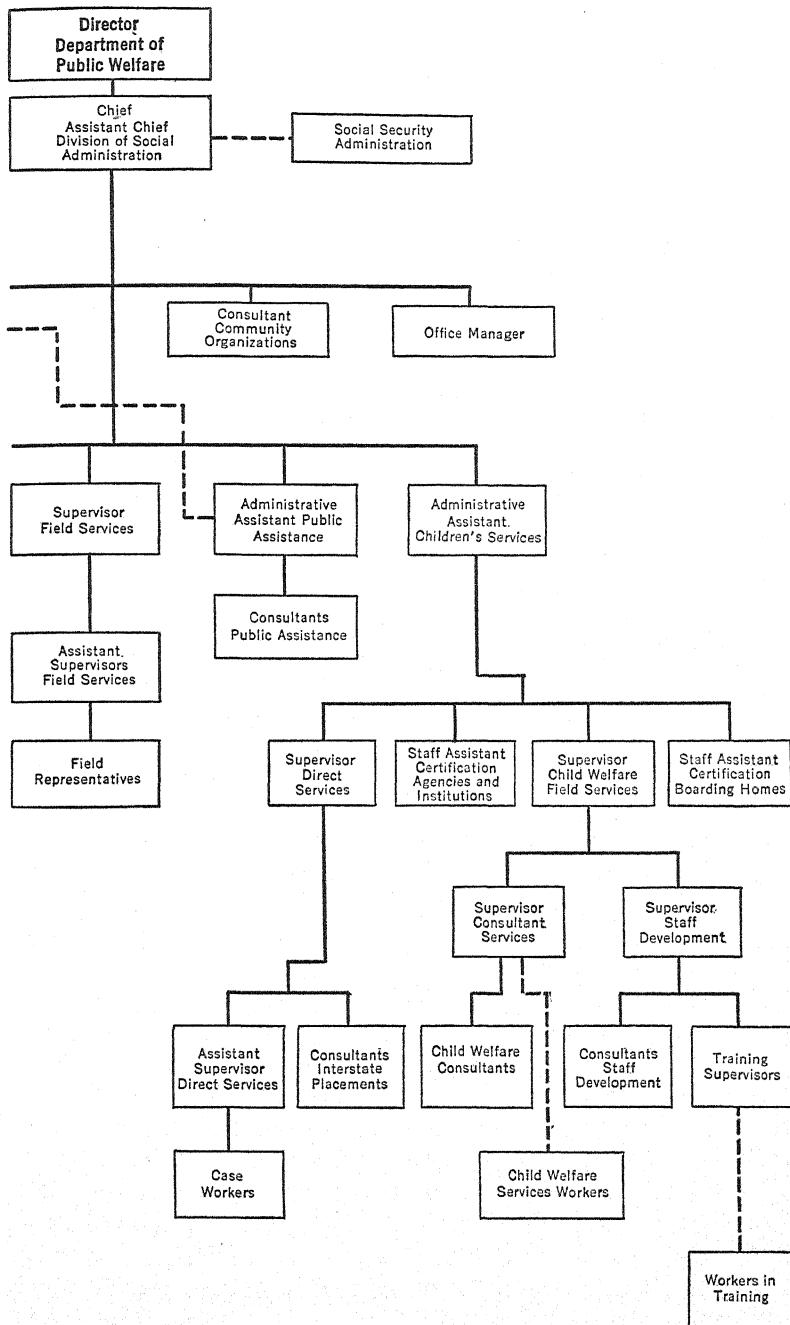


FIGURE 9. DIVISION OF SOCIAL ADMINISTRATION,



OHIO DEPARTMENT OF PUBLIC WELFARE



The Indiana State Department has considerable legal control over county personnel. Through financial participation, it exercises control in other ways. An outline of the activities of the divisions will make the chart clearer.

1. Operating, or line, units:

(1) Division of Public Assistance: old-age assistance, aid to dependent children, blind assistance, co-operation with the Board of Industrial Aid to the Blind.

(2) Children's Division: children in foster homes and institutions, supervision of dependent and neglected children, care of destitute children, supervision of child welfare services; licensing of children's institutions, child placing agencies, boarding homes, and maternity homes; supervision of importation of children.

(3) Crippled Children's Division: locating and enumerating crippled children, diagnostic field clinics, treatment of crippled children in medical centers, cerebral palsy project, nursing services, medical social work, referral for vocational rehabilitation.

(4) Division of Corrections: supervision of penal and correctional institutions, institutional classification, education and inmate welfare, review of parole recommendations, supervision of parolees.

2. Service, or staff, units:

(1) Personnel

(2) Information and Public Relations

(3) Staff Development

(4) Co-ordination

(5) Legal Services

(6) Inspection

(7) Staff Services:

(a) County Finance

(b) Statistics

(c) Central Files

(d) Library

(e) Interstate Correspondence

(f) Accounts and Audits

The outlines of divisional activity show that the operating, or line, divisions do many things which are in the nature of staff activities, and it is obvious that those administrative units which are predominantly staff in their functions have some power to order and command. However, the division into units of predominantly line or staff activities makes the internal organization clearer.

In Figure 9 a more detailed analysis of the activities of the Ohio Division of Social Administration is presented. This division con-

stitutes a large part of the total activities of the Department. Staff functions are represented by the Advisory Council, the Ohio Commission for the Blind, the Child Welfare Advisory Committee, the Executive Assistance, the Consultant for Community Organizations, and the Office Manager. However, the Executive Assistant participates in some line operations, as shown by the broken line. Strictly line functions are carried on by the sections called State Services for the Blind, Vocational Rehabilitation of the Blind, Services to Crippled Children, Field Services, Public Assistance, and Children's Services. Four of these are headed by persons called Administrative Assistants, and the other two, headed by a Medical Director and a Supervisor, have similar rank. The number of levels of responsibility below these section heads varies from two to four. But the section on Children's Services has one distinctive characteristic: a Staff Development unit which is not a line function.

Some administrators seriously question the wisdom of obliterating the boundary between staff and line activities. They believe that the staff functions should be attached directly to the administrator's office. The organization of the Indiana Department of Public Welfare in 1949, as shown in Figure 8, conforms very closely to this theory. The Administrative Assistant is the direct representative of the Administrator and has immediate responsibility for staff functions. Sharp division of staff and line functions would result in the establishment of two bureaus in the department: one an operating bureau containing all of the present operating divisions and the other a service bureau containing all staff functions. At the head of each bureau would be an assistant administrator. If the same principle were applied to the Ohio Division of Social Administration, there would probably be two assistant chiefs, one of whom would be at the head of a staff section and the other at the head of a line section. In a small division such formal organization would perhaps be cumbersome, but in this division, which supervises or administers the expenditure of many millions of dollars, it would leave the chief of the division more time to concentrate upon matters of policy, legislation, and over-all administrative organization.

There are two important points in favor of a strict separation of staff and line activities: first, if the staff units have no responsibility for giving orders, presumably they have less stake in the success of a particular policy and can investigate and criticize more objectively than the personnel of the operating units; and, second, if employees

of the staff units are in a pool, as it were, upon which all administrative units may call at will, and if their regular duties are carefully defined, duplication of personnel and equipment, such as are necessary for statistical work, would be avoided. On the other hand, if research and other staff functions are to contribute to an understanding of problems and an improvement of service, there must be a satisfactory working relationship between line and staff employees and an easy flow of ideas between them. These may be obtained by the type of organization found in Illinois and Indiana.

**Communication and Flow of Work.** Organization implies the establishment of co-ordinated activity among operating units and between individuals within operating units. The ease of communication among the elements of the organization and the distribution of personnel determine the adequacy and the speed of the flow of work. The direction of the flow of work is fixed by order. The continuous operation of a process in a factory is sometimes called "streamlining" production; the rate of movement of the article being made is fixed by the optimum speed of work of the average employee in the production line and by the distribution of employees at particular points in the line. A public welfare agency is producing services instead of commodities, but the completion of a service usually involves professional, clerical, and accounting activities. If the lines of communication are clearly established and the required number of various types of employees at different points is supplied, the service flows smoothly, and both the client and the public are likely to be reasonably well satisfied. Professional persons are notoriously individualistic and scornful of "red tape," but the expansion of public welfare services is now such that professional persons must fit into the organization or make way for others who are temperamentally better suited to integrated activity.

The operations involved in a unit of service show the lines of communication along which work flows. This will be illustrated by a skeleton of the flow chart which was used in 1940 in the Illinois Division of Old Age Assistance. If at any point in the application's course there are insufficient employees to keep it moving at an even speed, a "bottleneck" is created which delays disposition of the application and, in the case of acceptable applications, delays assistance to the needy person. If one employee at any point is exceptionally slow or careless, the efficiency of the entire organization is reduced. Sound methods of personnel selection and management are important.

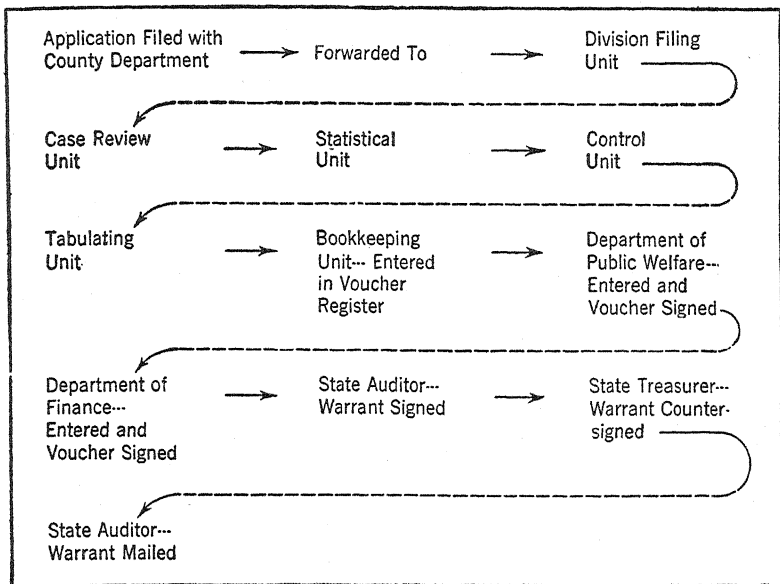


FIGURE 10. FLOW CHART OF THE ILLINOIS DIVISION OF OLD AGE ASSISTANCE, SHOWING THE ROUTE OF AN APPROVED APPLICATION, AND OF THE RESULTING WARRANT<sup>1</sup>

### RELATION TO OTHER GOVERNMENT AGENCIES

The department of public welfare does not operate in a vacuum. It is not self-sufficient. On the contrary, it is a part of the state government, and there are certain service departments, such as the treasury, which serve all departments. Furthermore, the state welfare department has more and more connections with the federal government, and these relations always involve certain measures of control by the federal government.

The relations of the department of public welfare to other state departments are established by statute; there may be voluntary co-operative agreements between departments, but they are relatively unimportant. An examination of the flow chart for the Illinois Division of Old Age Assistance reveals that a needy aged person cannot receive his little monthly check without involving the Department of Finance, the State Auditor, and the State Treasurer, as well as the Department of Public Welfare. A general relief agency may have established relations with a state department of public

<sup>1</sup> Adapted from official flow chart, designed by John C. Weigel, Administrative Assistant, Department of Public Welfare of Illinois.

works, if there is one. Almost always the welfare department has important connections with the department of health. The law may specify that the attorney general shall provide legal services to the department of public welfare. In states with civil service laws there is a civil service commission or similar agency through which the state department goes for all employees whose positions are in the classified service. It is therefore easy to see that, while the public welfare worker must first and foremost know public welfare administration, he must also know something about public administration.

At present state departments of public welfare have relations with one or more of the following federal agencies: the several bureaus and divisions of the Federal Security Agency, the most important of which are the Children's Bureau, Bureau of Employment Security, Bureau of Old-Age and Survivors Insurance, Bureau of Public Assistance, and the Public Health Service; but they also have some business with the Bureau of Prisons and the Veterans' Administration. These relations are first made possible by congressional action—the initiative is taken by the federal government. Then usually some state legislation is required in order to put the state in the position to co-operate with the federal government in the provision of particular services. The federal government usually deals with the state public welfare agency, which in turn deals with local agencies. The state department of public welfare is therefore a sort of middleman for public welfare services that originate with the federal government and are given to the individual by the local administrative unit, which may be a branch of the state agency or a local department of public welfare.

### QUESTIONS

1. What are the arguments for and against co-ordination of public welfare administration at the state level?
2. How would you allocate services among the state departments of education, health, and welfare?
3. Discuss the respective merits of an administrative board, a policy-making board, and a single executive as the state public welfare authority.
4. Draw an organization chart of the chief public welfare agency in your state and suggest the strength and weakness of the setup.
5. Make a flow chart for some state welfare agency.
6. How is the department of public welfare in your state related to other departments of the state government?
7. What are the specific relations of your state welfare department to one of the agencies in the Federal Security Agency?

## CHAPTER V

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### LOCAL ORGANIZATION

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It was pointed out in Chapter II that the first form of public welfare organization in this country was local. For three quarters of a century the states have been establishing central control and supervision over local public welfare services. This movement, already mentioned, became general and impressive after 1917. But when full weight is given to the importance of federal and state public welfare organization, the fact remains that most of the services, other than institutional services, are rendered by the staff of a local governmental unit or by a local administrative unit of a federal or state agency. Contact with the individual and the family is local contact. The type and effectiveness of local public welfare organization are, therefore, of primary importance in a general system of public welfare services. We may think of the relationships among two or more local public welfare agencies as horizontal relations, and the relationships of the local agencies to state or federal units of government as vertical relations. Both the horizontal and the vertical relationships of the local agencies are important. These relationships may be co-operative, or they may exist within a highly integrated public welfare organization. Integration within a particular local agency usually depends upon the ideas and the organizing ability of the administrative authority, while vertical integration will depend partly upon the administrative authority and partly upon the law.

The type of local organization which is found in the states has been affected by state enabling legislation, by state mandatory legislation, and by the interpretation of the common law. Within the legal limitations established there is also much room for local variation. The county, the town, the township, and the city may exercise only such powers as the state constitution or the legislature delegates to them. A city obtains a specific statement of its powers in the charter of incorporation. Enabling legislation permits a local

governmental unit to carry on welfare activities, such as relief, child-welfare work, and medical care, but these services may or may not be performed by the local unit. If the legislation is mandatory, the localities designated are under obligation to establish agencies to perform the services prescribed in the law. However, mandatory legislation must be implemented in order to assure its execution, even when the standards of services which are given are subject to wide margins of discretion on the part of the administrative officers. "Public charity is bestowed as a duty rather than as an obligation, and therefore the extent of relief, and its character, as well as the necessity therefor, are left to the discretion and judgment of the officers charged with the care of the poor."<sup>1</sup> The person in need cannot himself demand services and cash relief from the local authorities, but failure on the part of the responsible officials to give such services may be ground for a third party's preferring charges against the officials; or in some states a third person may as a humane individual give relief or other services and recover the costs by entering suit against the negligent officials. Much of the public assistance legislation prior to the passage of the federal Social Security Act was permissive; that is, the local governmental unit was given power to provide old-age assistance or mothers' aid, but it was under no obligation to do so. If the county commissioners or city council chose to provide such services, they created an administrative agency. In earlier decades enabling legislation led to the establishment of county almshouses and homes for dependent children, but counties with small populations usually did not find it expedient to build such institutions.

The federal Social Security Act contained an ingenious combination of inducement and compulsion to make old-age assistance, aid to dependent children, and assistance to the blind, universal. It offered grants-in-aid to the states which established these services on condition that, among other things, the state law provide that the service "shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them."<sup>2</sup> The federal government offered to give large sums of money to the states on condition that every eligible person should receive assistance. This required the states to make public assistance mandatory in the

<sup>1</sup> 21 *Ruling Case Law* 709. Quoted by Edith Abbott in "Is There a Legal Right to Relief?" *Social Service Review*, XII: 2, p. 263.

<sup>2</sup> Secs. 2 (a)(1), 402 (a)(1), and 1002 (a)(1).

counties; it could do this only if, in the event of failure of the county to perform its duties, the state could take over local administration. The amount of assistance, however, was a matter of local policy and case-work determination. Thus, while the form of statement in the Social Security Act guaranteed that public assistance laws would be in operation in all sections of a state, it did not assure any uniform standard of subsistence within a state or among states.

Certain public welfare functions belong to the courts. The admission of a person to a mental hospital, except by voluntary admission which is not common, is by commitment through a court of competent jurisdiction. Incarceration in jail or prison, except for purposes of temporary detention, is on order of a court. The courts are authorized to place offenders on probation, when in their judgment it is warranted, and they set up a more or less satisfactory organization to supervise the probationers. Neglected children may be taken away from parents by order of the court and placed in an institution or in foster homes. In such cases they become wards of the court. Dependent children who cannot be cared for properly in their own homes or who lack family homes may also be made wards of the court, after which they may receive care in an institution, a foster home, or a prospective adoptive home. Adoption of a child requires the formal assent of the appropriate court. The standards of service given wards of the court are largely matters of local determination.

It cannot be overemphasized that, regardless of the type of local public welfare organization, the standards of services given needy persons are fixed by local public opinion. If the citizens of the county, township, or city believe in high standards of material relief and case-work services and they have ways of effectively expressing viewpoints, standards will be high. The quality as well as the quantity of the public welfare services available in a community is a reflection of the social standards of the people.

#### FORM OF THE AGENCY

The form of a local public welfare agency may be characterized by (1) a single executive, elected or appointed, (2) a policy-making board with power to appoint the executive, or (3) an administrative board, paid or unpaid, with power to select an executive and administer service. The method of selecting the executive does not in itself



determine the quality of services, but if he is selected by civil service methods and if educational and experience qualifications have been set high, he is more likely to be a competent executive. The quality of service depends upon the competence of the executive and his freedom to operate the agency in the interest of the clients. If there is a sufficient supply of money and an established procedure for securing a qualified staff, the manner of choosing the executive is of less importance.

**Single Executive Type.** The local public welfare agency with a director, secretary, or administrator who is appointed by some superior local authority, or elected by popular vote, may have an advisory board or committee, but will have no public welfare board which has power to determine the selection of personnel or to make rules and regulations. The executive of an agency with this form is limited in his activities only by the law, political pressure, and funds available. He interprets the law, usually with the advice of counsel, and applies it as he sees fit. He may be under pressure from political leaders to appoint certain persons to positions in the agency, to give special assistance to favored individuals or groups, or to award contracts to persons who stand well with the dominant political organization. The volume of services is obviously limited by the available funds, which are fixed by the local authority having power to make appropriations and to levy taxes. Some latitude in this respect is provided if the governmental unit has power to borrow in case of "emergency," but loans have to be repaid out of future appropriations; this limits expenditures in a future year to the amounts a city council or county board of commissioners sees fit to allow.

The most common elected public welfare executive is the township trustee or selectman. He has from colonial times been the overseer of the poor in his political subdivision. Formerly he was responsible for building township roads, but road construction has been transferred to the county or the state almost everywhere. The township trustee still has important duties in connection with rural schools, but in incorporated towns and cities he has lost this function. Outside New England and a few other Atlantic coast states, the township trustee has as his major function the administration of relief. He can usually appoint assistants and pay their salaries out of township funds, if the volume of work is too great to be handled by him alone. These assistants are chosen without reference to civil service or any merit system for the selection of competent employees; they

are the political friends of the trustee and are expected to work for his re-election. During the depression some long-range control was exercised over the township trustees by the Federal Emergency Relief Administration and by some state relief administrations, because the township could not finance the greatly increased relief load and had to submit to supervision from above in order to get outside relief funds. Thus, temporarily, in states such as New York and those of the Middle West, the trustee, although an elected official, was constrained to accept the judgment of outside, reasonably qualified supervisors and sometimes, as in Indiana, to appoint visitors on the basis of merit. Such unusual relief policies were obviously destroying the political power of the organized trustees in every state where these were put into effect, and there was a sort of "grass-roots" revolt to recover patronage.

Members of the county board of commissioners or supervisors are elected. They usually are responsible for the almshouse and operate it for the good of the local political organization, just as the township trustees do outdoor relief. The superintendent of this institution is generally appointed by the county board because he is responsive to suggestions for the good of the organization. In Montana and Washington the county commissioners function *ex officio* as county welfare boards and choose the executive according to their own standards. The county commissioner of public welfare in New York is "elected or appointed in accordance with the provisions of law relating to the election or appointment of a county official charged with the care of the poor in such county"; hence the executive is not chosen in the same manner in all counties of New York. Because of the political power of the boards of county commissioners in Indiana, it was impossible to put the administration of the county poor asylums under the county departments of public welfare that were created by the Indiana Welfare Act of 1936 which brought about a reorganization of most of the state and local welfare activities. In some states, such as New York, there are city departments of public welfare headed by a commissioner who is appointed in a manner similar to the appointment of a county commissioner of public welfare. The relief commissioner in Chicago is appointed by the mayor. While no satisfactory measure of relative competence exists for public welfare administrators, other than a judgment based upon the conception of the relevance of training and experience, it is probable that executives who are appointed by elected officials

are on the whole superior to executives who themselves are elected to office.

Selection and appointment of local public welfare executives have to be made by some officer or official body elected by the people, because under our form of government the elected official has power under the several constitutions and statutes to define policies and to provide the means for their execution. Power resides in the elected official, not in the appointive official except so far as it is specifically delegated to him by law or by action of the elected official. But the conditions under which the elected official or official body chooses and appoints personnel may be regulated by law. That is what happens when civil service laws or merit system laws are enacted. Such laws require that the executive be selected by examination or other objective and impartial methods on the basis of his qualifications for the position. The Cook County (Illinois) Bureau of Public Welfare is probably the best example of a large county department of public welfare whose executive has since 1926 been selected by civil service procedure. Partisan political influence has been reduced to a minimum in the selection of the Director of the Bureau.

**Policy-Making Board and Appointive Executive.** The board with policy-making powers and the power to appoint the executive should be sharply distinguished from an administrative board of the type found in New England. The policy-making board meets usually once a month or on call, approves matters of policy in most cases, and has a major part in the selection and appointment of the executive. The county boards of public welfare in Indiana are of this type, except that the State Department of Public Welfare conducts examinations for county executives, called directors, and makes up an eligible list from which each county board selects its director. The board has power to discharge the director for cause. Such boards are often appointed by elected officials, as in Indiana where they are appointed by the judge of the circuit court, and may be as completely devoted to playing politics as many elected officials. Unless restrictions upon political activity of board members are written into the law or power is given the state department to protect the county executive from political interference, the policy-making board may be little improvement over the county commissioners. Such power is given to the Indiana State Department of Public Welfare, and in addition it administers the merit system for the selection of county directors. Many states adopted the policy-making-board type of county agency

following the passage of the federal Social Security Act when they had to reorganize the county welfare systems in order to comply with requirements for grants-in-aid. When the discretion of the board is limited by law, as in Alabama and Indiana, this type of board is an effective device for providing local participation in public welfare administration. When, as in Michigan and Maryland, the board has unrestricted power to choose an executive, irrelevant political influences are likely to creep in, unless the members of the board represent the highest conception of public service in the community. It is a common opinion that from the viewpoint of both costs and services local government presents the greatest problem in American government and is the least well done. In recent years the vast sums of money spent on relief and other welfare services have made it clear that, next to the public school system, the most important local governmental task is the organization and administration of the public social services. A properly constituted public welfare board has as much influence for good or ill as a good or bad school board.

While the policy-making boards are in general similar, they differ in many minor respects, such as: (1) number of members; (2) official or body by whom appointed; (3) tenure of office; and (4) powers and duties. The board may be appointed by the county board of commissioners, which may or may not be restricted in its freedom of action. Sometimes the county board of commissioners makes its appointments from a list of names submitted by the state department, and in other states the state department makes the appointment from a list submitted by the county commissioners. Either one of these provisions assures a better average county welfare board than is likely to result from entire freedom on the part of the county commissioners. The same statement may be made when the county board is appointed by a single elected official, as in Indiana, where the judge of the circuit court appoints the board without reference to the state department. In spite of the fact that judges are usually more public-spirited than most other elected officials, they are subject to political pressure, and in Marion County, Indiana, the State Department had to force the resignation of members of the county welfare board who had been appointed by the circuit judge, because of their failure to act in the case of political misconduct on the part of the county director. If the state department of public welfare appoints the county board, local interest in public welfare services

is in danger of being sacrificed. The most satisfactory method of appointing the county board of public welfare seems to be by a local official or body of officials whose discretion is subject to some control by the state department.

#### DEGREE OF CO-ORDINATION

The foregoing discussion may have suggested that all local welfare activities are centralized within a single county agency. That is not a fact, and in the nature of the case could not be. The ideal is probably the maximum co-ordination with due consideration for practical and constitutional questions. Historically, as the special needs of some group in the community have been sufficiently recognized, a new public welfare agency has been created, or the scope of activity of an existing agency has been extended. In the first case agencies were multiplied; in the second case activities were multiplied but the number of agencies remained the same. Whether co-ordination of services is increased or decreased during a particular time depends upon many things, among which may be mentioned the influence and ideas of the promoting group, the prestige of some existing public welfare agency, and the special interests of local politicians. None of these factors has basic technical importance in deciding whether or not some new activity should be carried out by an existing agency. None of them contributes to a technical decision as to the wisdom of co-ordinating a number of independent agencies at a time when reorganization of local public welfare services is under consideration. Nevertheless, in either situation these factors are practical matters which have to be taken into consideration, because the power to determine policy is involved. Technical considerations are more likely to be injected into the discussion of co-ordination by professional social workers, especially executives, and by citizens who have an appreciation of public welfare administration. Although centralization of similar welfare activities in a single agency is usually put forward as an aid to economy, quality of service, and administrative efficiency, it is curious that the waves of economy sentiment which frequently pass over legislatures or Congress rarely result in centralization of like functions for the improvement of administration. This anomalous condition is probably due to the fact that legislators are more than ordinarily ignorant of the technical problems of public welfare administration and realize better than they should the polit-

ical possibilities of a large number of agencies. The degree of centralization of public welfare activities, then, is a result in part of technical considerations and in part of nontechnical social forces.

The rational basis of co-ordination of welfare activities can perhaps be indicated most clearly by reference to the doctrine of separation of powers which is set forth in American constitutions. In these documents and the court decisions based upon them it has been assumed that a governmental activity or function could be readily classified as legislative, executive, or judicial. The powers to legislate, to carry into practice, and to decide were defined, and in theory an agency of government would exercise one or another of these powers but not two or three of them. In so far, then, as this doctrine could be rigidly carried out, the legislature would determine public policy in the first instance, the executive branch would undertake to put the policy into practice, and the judicial branch would determine the consistency of the policy with constitutional law and stand guard over the rights of the individual. These philosophical distinctions have been retained and may be stated with some degree of clarity, but in practice the executive branch has often acquired and exercised quasi-legislative and quasi-judicial functions, and the judicial branch has acquired and exercised executive functions. Rules and regulations issued by a county or city public welfare agency are essentially legislative enactments, though in order to remain in effect they must be consistent with the statutes under which the agency operates; otherwise an appeal might be taken to the courts and result in their being set aside. When the juvenile court or other court with juvenile jurisdiction makes a child a ward of the court, it is exercising a judicial function in that the rights of the child and perhaps other persons are involved, but when the law permits the court to supervise a home in which the child may be placed, or to dispense money periodically in the form of mothers' aid, the court is to this extent acting like an executive agency and has assumed a function that theoretically belongs to the executive branch. Boards of county commissioners are primarily legislative bodies, deriving their powers either from statutes or from constitutions, but when they function as public welfare boards of counties they are engaging in executive activities. Logically, then, specific aspects of public welfare services belong to the legislature, the executive, and the judiciary, but practically it has been found impossible to maintain the rigid distinctions set forth in the doctrine of the separation of powers. In so

far as these distinctions can be maintained, we may have a centralization of policy-determining activities in the legislative body of the county or city, a centralization of activities concerned with putting policies into practice in the executive branch, and a centralization of activities concerned with determining constitutional and legal questions in the courts.

From this viewpoint it is possible to indicate the public welfare services which belong to the executive branch. The most important ones are: (1) mental hygiene; (2) public assistance; (3) foster-home care of children; (4) care of jail prisoners; (5) operation of local institutions; (6) nonrelief family case-work services; (7) service to handicapped persons; and (8) probation. It is the organization of these services within the executive branch in which public welfare workers are most interested, although it is also necessary for them to understand and to take an interest in the work of the legislative bodies and the courts, because these branches of the local government determine what may or may not be done by the executive branch. However, the principal job of the professional social worker lies within the limits of the executive branch. Local organization of the services in this branch of government is so various that it is probably not possible to select one type and say that it is the most representative. The best that can be done is to give a few illustrations of existing local public welfare organizations and to point out the ways in which they diverge from some theoretical plan.

More or less unconsciously we think of the county department of public welfare as the chief agency. We are prone to think that what lies outside of its jurisdiction is of minor importance. But in Illinois the county welfare departments, with the exception of the Bureau of Public Welfare in Cook County, have only one function, and that is the administration of old-age assistance. General relief is handled by the township supervisors. Mother's aid was administered by the court with juvenile jurisdiction. Both the granting of probation and the supervision of probationers are responsibilities of the several courts in all counties of Illinois. Almshouses and hospitals are generally administered by the county commissioners. The jail is operated by the sheriff or in the large cities by the police department. In New York the duties of the county or city public welfare district are broader. Certain city governments have the right to organize and operate public welfare services, in which case the county authorities have no jurisdiction within the city limits. Outside of those

cities, relief in New York has traditionally been a town (township) function, but under the present law the county board of supervisors may on their own motion abolish the poor-relief functions of the towns, in which case the county welfare district administers direct relief. Medical care of the indigent, the almshouse, child welfare services, and public assistance are administered through the welfare districts. Supervision of probationers and the operation of the jail are carried on as in Illinois.<sup>1</sup> The county organization in Indiana presents other variations. The county department of public welfare in Indiana is responsible for the administration of public assistance, child welfare services, services to crippled children, management of the public home for children, and placement and supervision of children in foster homes. At the discretion of the State Department the county department supervises persons paroled from the state penal institutions, and on request of any judge in the county it is required to supervise persons on probation. General relief is the duty of township trustees. Jails belong to the sheriff or police department as usual. The almshouse is still under the control of the county commissioners.

Much of the centralization of public welfare services in states, of which Indiana and New York are illustrative, has come since the passage of the federal Social Security Act. New York had already made some improvement with its old-age assistance program which became effective in 1930. Indiana did not have a county department of public welfare until 1936. New York has made notable progress in bringing the various forms of relief and public assistance under the welfare district administration, but Indiana has been more successful in bringing the supervision of parolees and probationers into the county department. At the county or city level Illinois, Massachusetts, and Ohio show the greatest lack of centralized organization. Illinois did not even respond to the financial incentives of the Social Security Act; it was one of the few states which did not take full advantage of funds offered by the federal government.

Centralization of welfare functions in counties of less than about 100,000 population is more than ordinarily necessary for the attainment of reasonable efficiency and economy of administration. Small counties need only a few workers, even when all services are consolidated. The courts have so few probationers that they cannot afford to employ properly qualified probation officers. The number

<sup>1</sup> *Public Welfare Law*, New York, Articles II-V, IX-XIV,



of the aged, of the blind, or of dependent children may be insufficient to require the full time of a trained worker, although the time of one or two workers might be required for the combined services. The amount of home finding needed for foster-home placement is not sufficient to take the full time of a good social worker. Financial aid is usually the largest single administrative problem. If all of these services, and such others as the county may provide, are carried on by a single administrative agency, a small staff of professional persons can be employed who will be less specialized than the staff in a large county but who can give a much higher quality of service than is ever possible under a decentralized scheme, such as exists in Illinois, Texas, and some other states.

In large cities the recognition of inevitable interrelationships among social agencies, mainly private agencies, took form in the organization of councils of social agencies and social-service exchanges. "The council movement," says Clarence King, "is an effort to overcome this centrifugal force in social work which tends to separate it into narrow, competitive enthusiasms. Councils endeavor to generate a cohesive, centripetal force which will unite agencies in co-operative endeavor, foster joint planning, and reduce duplication of effort. The underlying philosophy is democratic. The form of organization is representative."<sup>1</sup> "The social service exchange or social service index is a co-ordinating agency providing a central index of case records of the social agencies in a community," says Edith Shatto King. "The index cards contain only identifying information for an individual or family, with the names of the agencies having had contact with such an individual or family, and the date of the contact. The exchange may be consulted by mail, telephone, or messenger."<sup>2</sup> If the council of social agencies and the social-service exchange became indispensable for private social agencies in a community, as a means of informal co-ordination of planning and case records, it is obvious that public agencies which operate under a legislative mandate must be co-ordinated in order to achieve the general social objectives.

The establishment of a private agency may have occurred as an experiment, as a means of meeting a pressing need in the community for which there was no existing agency, or for the purpose of enhancing the personal prestige of some individual or group. The es-

<sup>1</sup> "Councils in Social Work," *Social Work Year Book*, 1939, p. 97.

<sup>2</sup> "Social Service Exchanges," *Social Work Year Book*, 1939, p. 422.

sential characteristic of such an agency is its privateness. It may accept or reject cases in accordance with the concept of case load held by its sponsors, or as available funds permit. It may cease to exist on motion of its governing body. It is financed by private donations; nobody is legally obligated to contribute. But the public agency is created by elected representatives of the people who presumably act in response to a demand on the part of the citizens. The same or other representatives of the people levy taxes to finance the agency. By its very nature the agency must serve all persons who are eligible under the statute or ordinance; it cannot limit its case load arbitrarily, except when exhaustion of funds makes curtailment inescapable. It is in the interest of the public to reduce duplication of effort and corresponding overhead expenses to a minimum. Private agencies have to depend upon voluntary co-operation; the legislative body which creates a public welfare agency has power to consolidate public welfare services in one or a very few local administrative agencies. Rarely is there either a functional or a constitutional reason for the existence of so many different public welfare agencies as may now be found in hundreds of American counties. The explanation must usually be sought in tradition or in partisan, political maneuvering. If such practical considerations foster a

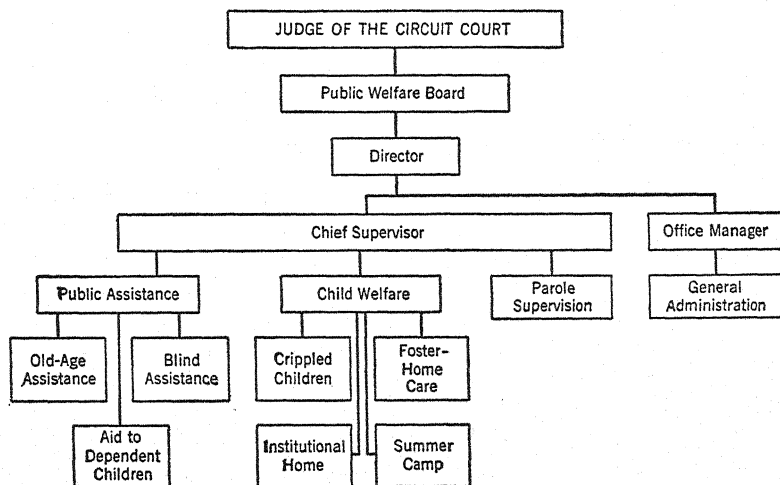


FIGURE 11. ORGANIZATION OF THE LAKE COUNTY, INDIANA, DEPARTMENT OF PUBLIC WELFARE <sup>1</sup>

<sup>1</sup> Data for chart furnished by R. W. Ballard, Director of the Department, May, 1939.

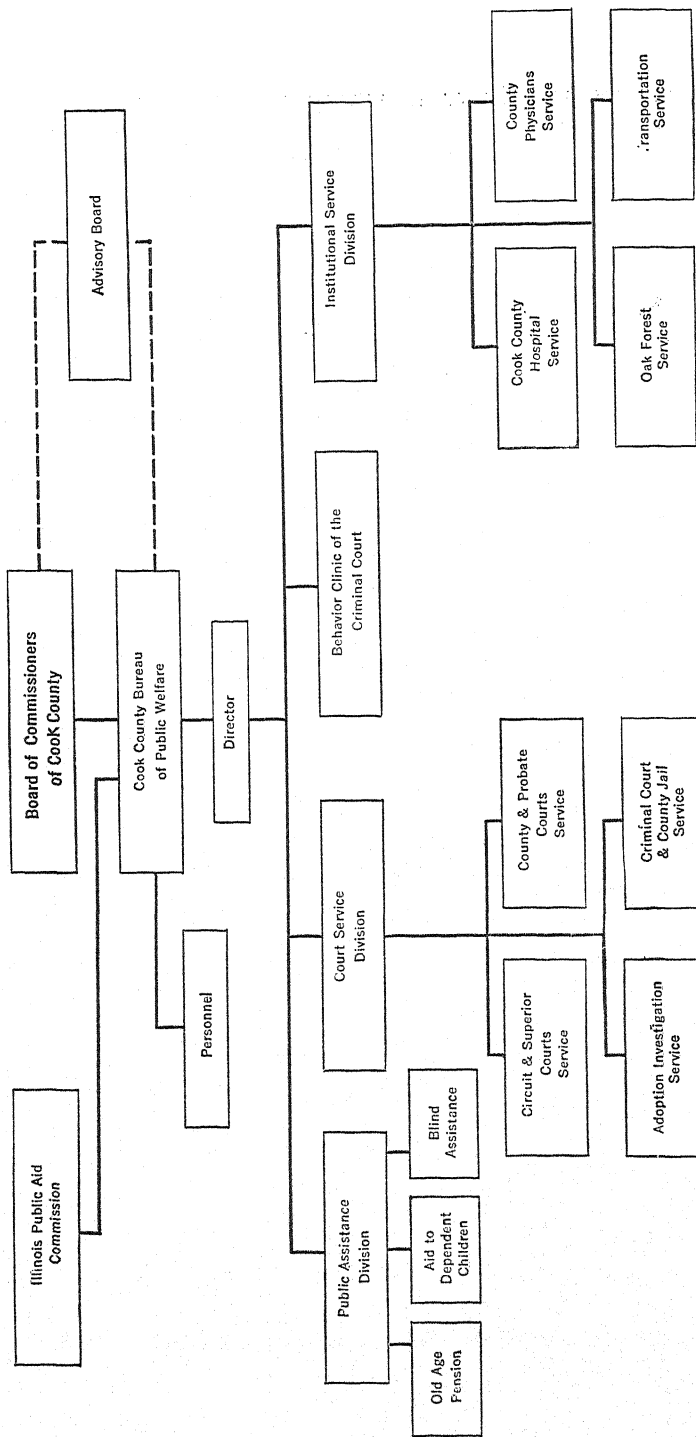


FIGURE 12. ORGANIZATION OF THE COOK COUNTY, ILLINOIS, BUREAU OF PUBLIC WELFARE<sup>1</sup>

<sup>1</sup> Chart furnished by Joseph L. Moss, Director, Cook County Bureau of Public Welfare, March 21, 1949.

centrifugal tendency in local public welfare organization, co-ordination by informal means, as among private agencies, must be worked out in frequent interagency conferences, numerous committee meetings, and referrals or transfers of clients, most of which are needlessly wasteful of both time and money.

A moderate degree of centralization of public welfare services by means of a county department of public welfare is shown in Figure 11, which represents the Lake County, Indiana, Department of Public Welfare. The judge of the circuit court under the Indiana law appoints the county public welfare board, and in Lake County, as well as some others, exercises a continuing, though unofficial, influence upon the department. A somewhat different organization is represented by the Cook County, Illinois, Bureau of Public Welfare by which much of the public welfare service in Cook County is administered.<sup>1</sup> Figure 12 gives the major aspects of the Cook County organization. Public welfare services which are outside the bureau include the Cook County Hospital (other than certain specific services), Oak Forest Infirmary (other than specific services), Juvenile Detention Home, probation, and the services belonging to the city of Chicago.

#### RELATIONSHIPS WITH OTHER GOVERNMENTAL AGENCIES

The relationships of a local public welfare agency to instrumentalities of government other than local welfare agencies are many. The number of such relationships varies widely in the several states; local agencies of government are always involved, state agencies are usually concerned, and the local offices of federal agencies may be involved. Most of the money for old-age assistance, aid to dependent children, and blind assistance comes from a state public welfare agency, which implies either supervision or actual administration by the state agency. In Missouri the State Social Security Commission has set up county commissions which are the local administrative agencies of the state. A somewhat similar organization exists in Texas for old-age assistance, except that the county is not necessarily the geographical administrative unit. In these states no county funds are used for the services included; consequently, relationships with local governmental units are a minimum. In all states some

<sup>1</sup> Cook County and Lake County are contiguous at the state line between Illinois and Indiana, and the differences between the two public welfare organizations reflect the differences in state legislation.

local public welfare agency has connections with federal agencies, such as the Works Projects Administration and the field offices of the Bureau of Old-Age and Survivors Insurance.

A full understanding of the relationships existing among county and city welfare agencies and other units of local government can be had only from studies in the broader field of political science. However, the more common relationships may be mentioned here. Payments of money by a public welfare agency are usually made by warrant issued by a county or city auditor, and the treasurer of the county or city actually pays out the money. The welfare agency makes an annual budget which is the basis of its request for appropriations by a county board of commissioners or a city council. Taxes to raise money for the appropriations are levied either by these local legislative bodies or by some special body. Co-operative relations often develop between the welfare agency and the public employment service, the workmen's compensation authority, the unemployment compensation agency, and possibly a local representative of the state agency for vocational rehabilitation. Where there are councils of social agencies and social-service exchanges, the public welfare agency is likely to use them and to participate in their operation. The latter are almost always privately financed and administered.

### QUESTIONS

1. By what authority does the local governmental unit give public welfare services?
2. How did the federal Social Security Act tend to increase the variety and amount of local welfare services?
3. Discuss the advantages and disadvantages of the single executive who is elected or who is appointed by an elected official.
4. Does the policy-making board with power to appoint an executive have any special advantages from the viewpoint of the quality of services rendered?
5. What are the sources of power of public welfare agencies?
6. How do you account for the large number of different public welfare agencies found in some counties?
7. Can you outline a rational centralization of public welfare services in your county on the basis of the doctrine of separation of powers?
8. Within the executive branch what local services may reasonably be centralized in a single agency?

## PART TWO

### METHODS OF TREATMENT



## CHAPTER VI

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### SOCIAL CASE WORK

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There are three generic methods in social work: case work, group work, and community organization. In the preceding chapters the problems outlined are mainly those of community organization; their solution, in part at least, precedes case work. Group work is often associated with settlement houses and recreational agencies, but the techniques are involved in all planning and committee work. Social case work is singled out here for special consideration because of its immediate importance in the daily routine of all social workers. The final test of the effectiveness of policy and of all social work methods is the quality of the service to the individual and the family. If the diagnosis and treatment of the case of an aged person or a dependent child are wrong, it is because good case work has not been done or cannot be done. The success of a public welfare program depends upon how well the single case is handled, just as the recovery of a patient with tuberculosis depends upon how the physician handles that particular case and only partly upon what the books say about tuberculosis in general. Every case of whatever type has its own peculiar aspects. Long before the name "social case work" had been coined, this viewpoint had been stated in 1886 by Buzelle: "Classifications of our fellow men are apt to prove unsatisfactory under the tests of experience and acquaintance with the individual. The poor, and those in trouble worse than poverty, have not in common any type of physical, intellectual, or moral development which would warrant an attempt to group them as a class."<sup>1</sup> During the early years of the National Conference of Charities and Correction many papers and reports referred to the individual differences of clients, but it remained for Mary Richmond in 1917 to present in

<sup>1</sup> *Proceedings of the National Conference of Charities and Correction*, 1886, pp. 187-188. Quoted by Virginia P. Robinson, *A Changing Psychology in Social Case Work*, University of North Carolina Press, 1934, p. 7.



systematic form the thought which up to that time had dealt with individual differences and with the process of "social diagnosis," a phrase which Miss Richmond used as the title of her pioneer work in the field of social case work. Since the publication of her book, the conception of social case work has been enriched and deepened by the introduction of material and viewpoints from psychology and psychiatry. The study of the technical aspects of case work by case workers sharpened the tools with which they worked. The significance of the individual's experience in the family and the community has become clearer, and hence the reasons for appraising a theory, a policy, or a method by the success of its application in the individual case have become more cogent.

### HISTORICAL PERSPECTIVE

Identification of problem persons in the community is very old. Individuals or families who needed the help of the community were suffering from a variety of maladjustments, social, mental, and biological. Until relatively recent times, however, the differentiation of social problems was, though in a limited sense, mainly administrative. Individualization from the viewpoint of treatment has had its greatest development during the last thirty years. The earliest approach to the individual who needed help was to put him into a category of persons who seemed to exhibit the same problem or problems, and social agencies were created to deal with the various social-problem categories.

**Elizabethan Categories.** The codification of Tudor laws and practices relating to the poor, which is found in the Elizabethan Poor Law of 1601, distinguishes several groups of persons who were in need of public aid, and sets up a few rough categories. Children of poor parents were to be given special treatment. If the parents were not able to keep and maintain their children as the churchwardens and overseers thought they should, the children were to be put to work on various materials provided by the parish. Likewise able-bodied adults who were unable to maintain themselves were to have work created for them. Where possible, children were to be bound out as apprentices. ". . . the Lame, Impotent, Old, Blind, and such other among them being Poor and not able to Work" were to be given sums of money sufficient to meet their necessities. The needy were by this law put into four categories defined in terms of the

means of providing subsistence: (1) children who could be put to work; (2) able-bodied adults who could be put to work; (3) the disabled poor; and (4) children who were suitable for apprenticeship. These are crude ways of providing treatment for the particular needs of persons, but they reflect an awareness of differences in ability to earn a living at the moment and in the future. The bases of the categories were age and health. The methods of treatment were designed to relieve the community of as much expense as possible, but the aim of apprenticeship was constructive, and in the light of current ideas of work relief as a builder of morale the employment of the able-bodied may be regarded as an early effort, perhaps incidental to the immediate objective, to maintain working habits. Although no one would claim that the Elizabethans were doing case work, the principle of differentiation is inherent in the seventeenth-century Poor Law, and that is a step in the direction of individualizing the client.

**Institutional Categories.** Differentiation of clients was carried further when specialized institutions began to appear. Hospitals have been in existence since Roman times, but prior to the nineteenth century practically all were catchalls for sick people regardless of the particular ailments. In 1769, however, the colony of Virginia authorized the construction of a special hospital for insane persons, and in 1790 the state of Pennsylvania authorized an addition to the Walnut Street Jail for the purpose of separating the more serious offenders from others. By 1818 Connecticut citizens had established a special school for the deaf and dumb, and in 1819 Congress made an appropriation of land for the use of this school. In 1846 Massachusetts established the first correctional school for boys. During the nineteenth century other institutions were created for the care of blind children, the feeble-minded, and the epileptic. In previous centuries all of these categories except criminals of the worst type were cared for in almshouses or workhouses. Some distinction was being made between those who received aid in almshouses and those who were given outdoor relief; decisions regarding the eligibility of a person for one type of relief or the other rested upon superficial knowledge and often perhaps merely upon the whim of the overseer of the poor, but the fact that crude conditions of eligibility were made is evidence at least of intent to consider the special problems of the client. In the case of poor relief the client could accept or reject the assistance offered, but his special requirements, interests,

and personality received little consideration. He could apply for relief, but the official in charge decided whether he should receive it and in what form; the client could then take it or leave it. The relatives of mental patients might express some preference as to the care of the patient. Offenders against the law took what the court gave them at the time of sentence, and the prison authorities in the nineteenth century were likely to give the same treatment to a first offender that they gave to a habitual criminal. Nevertheless, asylums for the insane became hospitals, and hospitals gradually came to have wards which permitted a further classification of patients according to their symptoms and plans of treatment. Special institutions for women prisoners and girl delinquents appeared. The establishment of a new institution for a special purpose indicated that some social problem had been defined and a plan of treatment proposed for all persons manifesting the symptoms. Within the institution further study of, and prescription for, the individual were rare. The historical importance of the institutions in a discussion of social case work lies wholly in the fact that they were moving in the direction of individualizing the client, and that the construction of a new institution in a state centered public attention upon the special problems of the persons whom the institution was intended to serve.

**Insurance and Assistance Categories.** Reaction against the panmixia of the almshouse and outdoor poor relief during the last quarter of the nineteenth century led to two developments of great importance: the establishment of social-insurance and public-assistance programs outside the poor law. Beginning with the first health-insurance law in Germany in 1883, plans for accident insurance, invalidity and old-age insurance, survivors' insurance, and unemployment insurance were established in various countries by 1911. It was the aim of the social insurance laws to remove persons who ordinarily earn a living from the necessity of seeking poor relief in times of distress, and to provide them with insurance benefits which the insured were entitled to receive at the time of the "insurance event" as a matter of right and without any investigation of need. In Germany and a number of other countries the major, predictable hazards of the workingman and his family were anticipated, and insurance funds were collected to pay the costs when victims of these hazards appeared. The insured sick person or invalid would need medical treatment, and that was provided for in the laws.

There were two serious limitations on social insurance as a device for mitigating the effects of the common hazards of modern life, and they were the definition of coverage and the conditions of eligibility. Social insurance was financed out of contributions from the employer, the employee, or the state, or from all of them. Because of this fact strict definitions of persons to be covered by the laws had to be adopted, and these definitions excluded a considerable part of the population. Furthermore, in order to safeguard the insurance funds certain qualifications and disqualifications for benefits to the insured had to be stated in the laws. Hence there were many people in need who were ineligible for insurance benefits. Some of these people had been making contributions, but had either not made sufficient contributions or for other reasons were disqualified.

This situation required a new device, if persons normally working were to be delivered from the poor laws. Public assistance was the answer given by the legislatures: old-age assistance, blind assistance, assistance to widows and dependent children, and unemployment assistance. All of these new categories required a means test for the receipt of aid, but they did not characteristically involve the acceptance of pauper status. Social insurance had recognized certain normal causes of distress which are inherent in the social order or the nature of the human being, and had attempted to establish by law a common-sense attitude toward the victims. Public assistance was invented to fill up the gaps in the insurance systems and to stand as the last buffer between the individual and the detested pauper laws. To determine eligibility for public assistance, investigations had to be made, but public opinion has been such that self-respecting persons could apply for and accept this form of relief without suffering the stigma of pauperism.

The insurance and assistance categories represented classification of noninstitutional cases of near-need or need. Large numbers of persons were declared to be aged, invalid, able-bodied unemployed, or dependent children. Under these systems they are given money according to insurance schedules or minimum subsistence budgets. They are distinguished from the rough classification of persons who must seek pauper relief and bear the stigma which attaches to pauperism. Unquestionably a profound conviction regarding the degrading character of common poor relief led to the effort to protect the masses of the population from the threat or experience of pauper status. General ideas regarding ethics and psychology were in-

volved, and political power made it possible to incorporate these ideas into insurance and assistance laws. Individualization of problems, not persons, had been carried a step further than the institutional categories.

**Concept of the Client.** The term "client" is a relatively new term in the public welfare services. Sick persons have been "patients" for a long time, whether paupers or self-supporting. The Roman "client" was a dependent, unrelated by blood, or a person under the protection of a patron. In modern times the legal profession adopted the term for reference to a person who had sought the services of a lawyer. After the beginning of the twentieth century the better private social agencies adopted the term for reference to an individual who had sought financial or other help from them. As distinguished from "pauper," "dependent," "poor person," or "reliever," it connoted respect on the part of the social agency for the applicant. The applicant was in the position of accepting aid from an agency which might be his "patron," but by analogy with the lawyer's client he was a self-respecting person seeking not merely protection, but expert advice and assistance. Emphasis was placed upon a mutual study of the applicant's problem for constructive purposes, and long before the present psychiatric bent of social case work the client was expected to participate actively in making plans as well as carrying them out. The self-feelings of the client were regarded as real and valuable. The punitive attitude of the old-time overseer of the poor and the township trustee toward a pauper had given way to a professional attitude toward a client.

Probably the charity organization societies and certain of the Jewish social agencies were responsible for giving current usage to the term client, immediately after World War I. In the early 1920's effort was centered upon helping the client to organize the external factors of his environment. Mary Richmond had organized the material for this viewpoint in *Social Diagnosis* and had defined the concept of the client accordingly.<sup>1</sup> It was recognized that the social and legal problems of each client are different and that thorough study of these was necessary before the social worker and the client could understand the client's problem and proceed to the making of a plan for improving his situation. But another influence had been growing for more than twenty years at the time Miss Richmond wrote. That was the influence of recent thought and research

<sup>1</sup> Mary E. Richmond, *Social Diagnosis*, 1917, p. 38.

in psychology and psychiatry. The development of psychometric tests which proved reasonably reliable, and the new direction given to American psychiatry by the reports concerning Freud's work, combined to stimulate a ferment in the ranks of social workers. Miss Robinson says that, "So rapid was the spread of this interest, that by the time of the Atlantic City Conference in 1919, psychiatric social work commanded the center of attention."<sup>1</sup> For a decade the interest in the personality of the client grew rapidly and at times tended to exclude adequate consideration of environmental factors which required legislative action. The "dynamic psychology" had made the client himself the center of attention—so much so that some psychiatric social workers became unconscious supporters of outworn economic and social theories. Experience during the great depression, however, operated as a corrective to this extreme view and resulted in a better-balanced theory of the client and his problems. The concept of the client as a self-respecting citizen of a democracy, which had been nurtured in the private social agencies, was carried over to the public relief agencies by erstwhile members of the staffs of private social agencies in which the experimentation had occurred. Within the last decade the same viewpoint has been adopted in child-welfare work, probation, parole, and certain family services. The public welfare services are on the way toward seeing the client as a person and a citizen.

The growing tendency to regard the client as a self-respecting, useful member of the community who is entitled to the respect and consideration of his fellow citizens, has stimulated the search for more effective case-work method, and the rapid advances in case work have reacted upon the concept of the client. Social philosophy and case-work technique and knowledge have reinforced each other. This experience has implications for administrative organization. Mention has already been made of the fact that service categories provided means of grouping persons who presented one or more similar problems and that this method gave somewhat more assurance that the needy person would get the specific treatment which he required. The great advances in social case work since 1917 have reduced the administrative need for service categories, because the case worker has learned to see each client in his environment as a unique case. Except for reasons of political strategy, a state could just as well have a single public assistance program which would on

<sup>1</sup> Virginia P. Robinson, *op. cit.*, p. 54.

a case-work basis serve the aged, the blind, the dependent children, and the able-bodied unemployed. The individual is the unit in any category, and case-work procedure results in a definition of the specific situation and the specific individual. The present stage of case-work development is analogous to the progress in medicine whereby patients suffering from heart diseases, respiratory infections, and orthopedic difficulties are treated in the same hospital, though perhaps by different medical specialists. There are distinct advantages in a general hospital which is equipped to care for all types of patients, because a greater variety of facilities and personnel is available for complete study of the individual case. The rise of a professional group in the field of social service has made a general program under a single central administration practicable and has greatly improved the chances that the individual will get the services which he specifically needs.

### THREE ELEMENTS OF SOCIAL CASE WORK

Three types of activity are commonly distinguished in social case work: investigation, diagnosis, and treatment. Identification and definition of these concepts are useful for purposes of clarity, but they cannot be distinguished too sharply or pushed too far lest the social case-work process be oversimplified. Investigation, diagnosis, and treatment do not represent a sequence of steps but rather three aspects of a unitary process. Facts relating to the personality and the social situation of the client must be obtained, but while essential facts are being developed the case worker is reflecting upon their meaning, which is a diagnostic activity, and at the same time therapy may be initiated. Thus, the discovery of facts, the interpretation of these facts, and the doing of something about the significant facts may go on simultaneously. It would be poor case-work organization to separate the personnel of an agency into investigators, diagnosticians, and therapists; if the client is to develop independence and make satisfactory social adjustment, the one case worker must be doing all the three kinds of work.

**Investigation.** The purpose of investigation is to collect all of the relevant, available facts which may aid in the diagnosis of the client's situation. To the lay public the term may connote what the police or the elected overseers of the poor do. Characteristically the police investigation seeks to obtain evidence which leads to an arrest or to

a conviction in court. Historically the overseer of the poor has investigated applicants for relief in order to weed out the ineligible or "unworthy." Such investigations are punitive. They aim to make contact with these officials so unpleasant that the potential offender will be deterred and the poor will prefer a moderate degree of hunger to the embarrassment associated with applying for pauper relief. The case-work investigation has a constructive purpose. It leads to diagnosis of the client's problem and then to treatment. It is based upon the assumption that all behavior, whether delinquent or otherwise, has causes which may be discovered and dealt with according to the specific conditions. The philosophic viewpoint of social case work is deterministic. Whether the client be aged, orphaned, unemployed, or delinquent, the case worker assumes that facts exist which explain the difficulty in which the client finds himself and which, if studied, will lead to understanding and a plan.

Investigation is carried on for the most part in three ways: interviews with the client, interviews with other persons, and examination of documentary sources. By far the most extensive and the most important information obtained for use in treatment comes to the case worker through the interviews. Documentary sources furnish facts which bear on legal questions, and they reveal the time and place of pertinent historical evidence.

The interview with the client reveals his conception of his problem, his attitude toward it, and his plan for its solution. The first interview enables case worker and client to get acquainted. It is the case worker's opportunity to begin developing a relationship which will encourage frank, thoughtful discussion of the client's problem. Unless the client is a probationer or a parolee, he has in most cases sought the first interview. He is seeking help with a problem as he sees it; he may tell the case worker about it as he actually sees it, or he may arrange his story to make a good impression on the case worker. At this point the concern of the case worker is not so much with the accuracy of the story as with the attitude of the client toward the problem, and with the traits of personality which appear in the course of the interview. If the client embellishes his story to make it seem more convincing, he is not necessarily trying to deceive but is adopting means suitable to his conception of the importance of his situation. If he exaggerates or even if he misrepresents simple matters of fact in his own interest, this fact has significance for the case worker. Some clients talk about their prob-



lems with great difficulty. They may be shy, or they may be so concerned about their situation that they are afraid they will say something which will prejudice their case. Other clients conceal their deeper feelings by an exterior of good humor. Later interviews with the client yield additional material which supplements and completes the picture obtained in the first interview. In the meantime a preliminary diagnosis is being made and treatment is under way. Indeed, much treatment occurs during the process of interviews. The plan for solving his problem which the client proposes during the first and succeeding interviews is more often than not only partially correct, but his plan, altered perhaps by the guidance of the case worker, is the place for treatment to begin. A process has been started by the first interview, and the skillful direction of this process by the case worker is the essence of case work.

Probably most first interviews are held in the office of the social agency. Later interviews may occur at the home of the client or at other places, but many of these will also be at the office of the agency. The case worker must constantly be aware of the effect of place and environment upon the responsiveness of the client during the interview. Consequently, neither the first nor subsequent interviews should occur by accident, but the time and place should be carefully considered and planned by the case worker. In general the office is always a satisfactory place for an interview, but the office should be so arranged that the client feels that his interview is private and confidential. The case worker visits the client in his home partly to conduct an interview in this particular situation and partly to see what the living conditions of the client are. It may be desirable to talk with other members of the family at the time of the home visit. Thus a group interview may occur in which the case worker and the family discuss the economic or other problems with which they are confronted; such an interview often gives the case worker impressions of the resources of personality and relationship which exist in the family and which may be utilized in the treatment of the case.

The question of whether or not interviews should be sought with persons other than the client or members of the immediate family is a difficult one. Such persons as collateral relatives, employers, and friends might shed light on some of the problems of the client, but it is probably unwise in most cases to interview them without the permission, or at least the knowledge, of the client. Even if the client is willing to give reluctant permission for some of them to be

interviewed, the case worker may decide against doing it because of the effect which it might have upon rapport with the client. If it is important to interview some outside person, the case worker over a period of time can usually bring the client around to recognize that it is in his interest for the interview to be held.<sup>1</sup>

Documentary sources of information are often numerous. Some clients will have had contacts with many social groups and governmental agencies, while others will be recorded only at the school and the vital statistics office. Factual information relating to age, place of birth, school history, and occupational experience can be obtained from the client in interviews. This is likely to be satisfactory in the early stages of the case or in the event that the problem is relatively simple—many cases of able-bodied unemployed persons who merely need relief until work can be found are of this type. On the other hand, as work with the client proceeds, a point may be reached at which the verification of some of the client's statements may be necessary. Legal problems usually require documentary material for solution. In the case of mental disturbance or physical illness the record of contacts with psychiatrists or other physicians may be of vital importance to the progress of the case. School records and psychological tests often are invaluable in making plans for children. However, in recent years the tendency among case workers has been to obtain documentary information only as the need for it is clearly indicated. Case records are not so much filled up with a mass of more or less irrelevant material as they were in the early and middle 1920's. Factual information is now gathered for a definite purpose. "Social histories" are not valuable per se but only as aids to treatment.

**Diagnosis.** Diagnosis proceeds with investigation and with treatment. The first interview yields certain factual information and certain clues to the personality of the client. It is inevitable that the case worker should reflect upon the significance of this information and these clues. He turns over in his mind the possible nature of the client's problem, and he makes tentative judgments. As further information is obtained and the inner resources of the client become clearer, the diagnostic process is carried further and more clearly defined. Some early steps in treatment have been taken, and the re-

<sup>1</sup> For fuller discussion of interviewing see: *Interview, Interviewers and Interviewing in Social Case Work*, Family Welfare Association of America, New York, 1931; and *Interviews, A Study of the Methods of Analyzing and Recording Social Case Work Interviews*, American Association of Social Workers, New York, 1931.

sponse of the client is studied. This response reacts upon the interpretative, or diagnostic, activity of the case worker's mind.

Early interviews with a mother who has applied for aid to dependent children may leave no doubt that the children are in need of material assistance and that they are otherwise eligible for aid to dependent children under the state law. But the amount of money available is always a minimum. However, increasingly states are using standard but flexible budgets intended to maintain the health and efficiency of growing children. The advice of the case worker is necessary to help the mother budget her meager funds. This may be done with the full co-operation of the client, but one of the children may not be getting along satisfactorily in school. When this situation is discovered, it is clear that the preliminary diagnosis of need of money and advice in using it to the best advantage was incomplete. The aim of the program for dependent children is to assure the child opportunity to develop his physical, mental, and social capacities, and it is measurably unsuccessful to the degree that it fails in any respect. Consequently, a broader interpretation of the problem of this family is needed, and further information must be obtained to define the situation and to plan some additional treatment procedure.

This hypothetical illustration of the developing social diagnosis indicates two major diagnostic areas: the external environment and the personality of the client. How the client handles himself in his family and community depends upon his attitudes, initiative, and native ability. When a person applies to a social agency for aid, he generally asks for money or help to secure medical care. That is, he locates his problem in the external environment and is inclined to absolve himself from any responsibility for the situation as he sees it. This is perfectly natural: no one in good health is likely to blame himself for his troubles. It is usually more self-respecting to blame a conspiracy of circumstances. In spite of the fact that this may be unrealistic from the viewpoint of solving the client's problem, the case worker will do everything possible to foster the client's self-respect but will gradually discover how to detach it from purely self-defensive behavior. Consequently, the case worker sets about to determine what part of the client's problem does in fact arise out of the external environment, while at the same time he is isolating and studying those aspects of the client's problem which are inherent in the client himself. These two aspects of social diagnosis are in-

separable, although one of them may at a particular time be more important than the other.

**Treatment.** Case-work treatment in the public welfare services is controversial. Perhaps this is to be expected. The lay public is much more aware of case work in the public services than it ever was of private case-work activities, because huge sums of money are expended and heavy taxes are levied and collected to meet the budgets of the public agencies. Furthermore, the public oversimplifies the problem of giving public assistance to the unemployed, the aged, dependent children, and the blind, and a certain section of the press which is uninformed and antagonistic has aided and abetted this oversimplification. From this simplified viewpoint all that is necessary is to establish the fact of need and then to pay out the cash at stated intervals. Frequent visiting to obtain additional information on the basis of which the diagnosis may be revised is regarded as a luxury foisted upon the taxpayer by the case workers, who are alleged to be mainly concerned with holding their own jobs and increasing the number of jobs. Such an attitude reflects the failure to recognize that amounts of assistance may be reduced by case-work services and that conditions of need and eligibility may change substantially within a week. Even from the viewpoint of the taxpayer it is shortsighted.

The type and intensity of case-work treatment, according to any rational definition, varies with the nature of the case. Many cases of unemployment relief require mainly a money payment, but if there are small children in the family additional services of the case worker may often be used to advantage by the family. A sick, neurotic, or delinquent person in the family creates problems for which the provision of relief funds furnishes no solution. From the long-range viewpoint of the maintenance of adult morale and the growth of healthy children, case-work services, along with material relief, are both indispensable and economical.

Miss Fern Lowry has suggested that treatment activities may be classified under three headings, which we may designate as environmental, indirect environmental, and direct. She describes these activities as follows:

"1. Those activities which are directed toward the enrichment of, or modification of, the environment; putting tools, so to speak, into the individual's hands, which he can use; or conditioning his environment in such a way that he can use what capacities he has more effectively. This

is variously called environmental, manipulative, palliative, or superficial form of treatment.

"2. Those activities that are directed toward the modification of the environment as a means of affecting individual attitudes and relationships, thus enabling the individual to make more productive use of himself in relation to his environment. (An allowance given an adolescent as a means of helping to establish his independence within the family, 'made-work' as a means of providing opportunity for achievement and restoring a sense of adequacy.) This form of treatment activity has variously been called indirect, indirect environmental, or secondary level.

"3. Those activities directed toward the modification of attitudes and relationships, freeing the individual from inhibiting or impeding conflicts or anxieties and enabling him to function more effectively, the activity being directed toward the individual's subjective realities or feelings. This form of treatment activity has been called direct, intensive, personal, psychological, or therapeutic. (Helping a woman to come to a decision with regard to leaving her husband, by helping her explore her own feelings and face her own problems. Helping a child to be more free in his relationships with others by helping him to achieve an acceptance of his own worth.)" <sup>1</sup>

It is obvious that a social case requires specific diagnosis for purposes of treatment, just as a case of illness does. A physician who asked the patient what he wanted and then treated the ailment as described by the patient, without examination, would be discredited by his colleagues and would soon have a bad reputation in the community. There was a time when "home remedies" were the only remedies for illness; they were prescribed by the physicians, such as they were, as well as by members of the family. It is a curious anachronism that otherwise enlightened people, who seek the best medical care of the day for physical ailments, have so little insight into their own mental processes that they believe the public welfare client thoroughly capable of diagnosing his own social ailments, and then they would leave the matter of prescribing treatment to some person who combines the qualities of a watchdog of the treasury and a moderately high-grade clerk. Because one's social difficulties are so closely involved with his conception of, and feeling for, the self, it is next to impossible for him to see himself as others see him. He needs the help and intervention of an expert, namely, the social case worker.

Obviously the kind and quality of case-work treatment is affected

<sup>1</sup> "Current Concepts in Social Case-Work Practice," *Social Service Review* (University of Chicago Press), Vol. XII, No. 4, pp. 593-594.

by a number of things. Miss Towle suggests that, "The function of the agency, the professional qualifications of the worker, and those factors inherent in the client's total situation together determine the treatment possibilities in any given case. So close is the interaction of these elements that it is difficult to isolate one set of factors for separate consideration."<sup>1</sup> If the agency has the financial resources and a properly qualified staff, treatment can then be given with discrimination and with a degree of specificity which promises the best results from a social point of view.

#### EXTERNAL FACTORS AFFECTING THE QUALITY OF SOCIAL CASE WORK

Certain external conditions affect the quality of case work. As Miss Towle suggests, the function of the agency, the qualifications of the case worker, and the client's total situation set the frame within which case-work treatment is carried on. The function of the agency determines the general type of cases which can be handled. A children's agency would undertake case-work treatment of an aged person only when this is necessary to serve the interests of the child. A probation department would not give material relief. The establishment of special administrative units to deal with the aged, the blind, dependent children, probationers, parolees, and the able-bodied unemployed results in a segregation of groups of people whose problems have some major common characteristic. Each group is individualized with respect to its characteristic before any part of the case-work process begins. All of these groups may come to the same public welfare department, but separate units, at least in a large department, are often responsible for each client category. Such differentiation of a worker's load generally is unwise, and undifferentiated case loads in public assistance are common.

**Voluntary Clients.** The voluntary client comes to the agency for the purpose of obtaining help. His mind is made up. The attitudes of these clients differ widely, but one thing is certain: they try to convince the case worker that they need help with the problems which they recognize. The unemployed applicant is without income and savings. In order to live he has decided that he must seek relief for himself and the members of his family. This diagnosis may or may not be true, but it is the point around which his attitudes tend to become organized. An aged person cannot find work, or he is

<sup>1</sup> Charlotte Towle, "Factors in Treatment," *Proceedings of the National Conference of Social Work*, 1936, p. 179.

physically incapable of normal productive activity. He is without material resources for subsistence. Finally he goes to the old-age assistance agency and applies for help. These, and other voluntary clients, are in a frame of mind to "bargain" with the case worker. They want something which the agency can give, and they attempt to make a case for themselves. They are in a receptive mood, but they may insist upon receiving help on their own terms, or they may be thoughtful and want to find the most satisfactory way back to self-maintenance and independence. In either case the social worker has both an asset and a liability in the fact that the client has come to the agency on his own initiative: an asset in that it is to the advantage of the client to co-operate in the plan of treatment, a liability in that the client may enjoy being dependent and may attempt to let the agency carry all of his problems for him. He may come to the agency with some measure of insecurity, and the case worker by failing to recognize the symptoms may give him a comfortable feeling of security which leads to increasing dependence. Poor case work can make a dependent out of a normally independent person by doing everything "for" the client instead of "with" him; it can instill fear of losing an allowance and force the client into abject submission which in the course of time becomes satisfying. The untrained overseers of the poor have probably made many paupers because they instilled fear and forced the client into unquestioning submission to their attitudes, ideas, and plans. It is not in a large percentage of the cases the fault of a child reared in an institution that he has difficulty of adjusting in the community when he is old enough to be discharged. Unintelligent case work within the institution has often led to the development of fear and insecurity in the child, and he has responded by abject obedience to rules and supervision which are determined by the punitive, domineering attitudes of matrons and attendants. The fact, then, that clients voluntarily come to the public welfare department does not make the task of the case worker easy. It does set the frame within which case-work treatment may be done.

**Involuntary Clients.** The involuntary client is sent to the social agency by someone who thinks the client needs help which he will be ordered to accept or to take some other form of treatment less pleasant than case work. Probation and parole are the most familiar activities which concern the involuntary client. In less degree patients and residents of institutions come to the case-work agency less

on their own initiative than on that of someone else. The furloughed patient of a hospital for the insane or of an institution for the feeble-minded may be supervised during a period of readjustment in the community, because the institution authorities are unwilling to release such a patient without some follow-up care by a case worker from the institution or by one in some local agency. But the most numerous involuntary clients are probationers and parolees. They have been convicted of violating the law. The judge places an offender on probation instead of sending him to jail or prison, or the parole authorities may release a man from prison before the expiration of his maximum sentence. The probationer may discover that the officer to whom he is responsible is interested in his welfare and can help him in a variety of ways, in which case the probationer becomes a willing client, but at the beginning he often resents the "snooping" probation officer who is "trying to get something on him." Case work with probationers has back of it the power to terminate probation and commit to prison, but probation as a method of treating offenders against the law has failed when it is necessary to do this. It is the task of the probation or parole officer to interpret the meaning of the offender's status to him and to make clear the nature and function of case-work supervision. There is resistance to be overcome so that the process of reconstructing behavior patterns may proceed. The officer cannot rely on the power to terminate probation or parole status as a means of forcing cooperation; unless the officer can develop the spontaneous co-operation of his clients, constructive treatment is greatly limited, and it may be prevented altogether. Because of the public antagonism toward the offender against the law, the probation or parole officer has to stand between his client and the community and help the client to re-establish himself among friends, neighbors, and employers. Failing a satisfactory readjustment, the client may become resentful and return to crime as a means of expressing his resentment. Successful case work with offenders against the law requires professional skill of a high order.

**Case Load.** The case load is the number of cases which a social worker has under his care. The number of cases which a worker can handle well varies with the intensity of the treatment required. Old-age assistance cases usually require less intensive treatment than children's cases. The aim of old-age assistance is to provide financial aid and give what other service may be necessary to make the aged



client reasonably comfortable. He does not work; his relations to the community are fairly simple. He needs the means of subsistence, and he needs medical care when he is sick. On the other hand, a dependent child or a maladjusted child has all of life before him. He requires education, the affection of his family or foster family, and opportunities for play, as well as subsistence and medical care. He is active, and his interests and needs are expanding. Case-work services are of paramount importance to a young client, and they require much time. Consequently, while an old-age assistance case worker might have a case load of 100, the children's case worker might not be able to carry more than 40 or 50 cases. In child-guidance clinics where the work is even more intensive, the number of cases per worker might have to be smaller. Environmental and indirect environmental case work usually require less time per case than direct, or therapeutic, case work.

The cost of social case work often seems high to the public, because case workers require professional education after they have graduated from college. Professional education is expensive. Persons capable of taking professional social-work training have more than average native ability. This combination of factors results in a relatively small number of competent case workers. Consequently, they can, and should, get salaries comparable to those of high school teachers. But the popular opinion, fostered by politicians sometimes for their own purposes, of the cost of good case work is erroneous. Good case work saves money for the community, because it is constructive and returns more clients to self-maintenance in a shorter time than is possible with poor case work or no case work. During the early part of 1938 an experiment was undertaken by the Chicago Relief Administration to determine the effect of good case work on costs of relief and relief administration. The number of case workers was a little more than doubled; this permitted a reduction in case loads of about 50 per cent. The result showed a net estimated saving of about 17.3 per cent, after all expenses of relief and costs of administration were paid.<sup>1</sup> Similar studies have been made elsewhere which showed comparable results. To determine the size of the case load which a case worker should carry in order to give the best service for the least cost it is always necessary to study the particular situation and perhaps to experiment with case loads of differ-

<sup>1</sup> *Adequate Staff Brings Economy*, American Public Welfare Association, Chicago, 1939, p. 17.

ent sizes. During the experiment conducted by the Chicago Relief Administration the case workers carried average case loads of about 80. There is no universally established optimum case load for any type of work, because the way in which the agency defines its function with respect to the client determines the case load which can be carried efficiently. The problem is to determine a "case load unit," which the agency can do by systematic study of its job, and then to give each social worker the appropriate number of units. A single-person case is often defined as a "case load unit," hence a multi-person case may be 1.5 units.

The consequences of case-work service or the lack of it can be illustrated by two case summaries taken from the *Report on Public Welfare Services* for the Greater Boston Community Survey. The public welfare departments in 18 towns and cities were studied in this survey. Each study included analysis of organization and administrative procedure and the reading of case records. The first case shows how the failure of the agency to understand and offer constructive help resulted in a more demoralized family and a greater expense to the community than were necessary. The second case shows how even an untrained social worker, with assistance from a case worker, can do a constructive job. These case summaries are given in Appendix A, pages 527-529.

### QUESTIONS

1. What step toward individualization of treatment was taken in the Elizabethan Poor Law?
2. In what sense are we justified in speaking of institution categories?
3. Why do we speak of the recipient of public welfare services as a client?
4. What is implied by the term "investigation" in social case work?
5. When does diagnosis begin in a case-work process? Why?
6. Discuss the different types of treatment in case work.
7. What differences do you see in the approach to the voluntary client and to the involuntary client?
8. What considerations influence the size of the case load? Could you develop a scientific procedure for determining the case load of a worker in some agency in your community?
9. Can you find a case in which the help of the social worker has prevented the growth of pauper attitudes in the client and has positively contributed to independence?

## CHAPTER VII

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### THE ROLE OF THE COURTS

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The judicial branch in American government is charged with the responsibility of administering justice as defined by constitutional, statutory, and common law.<sup>1</sup> A court is a specific agency to which causes within its jurisdiction are brought for adjudication. Since we have a dual system of courts, the appropriate court may be federal, or it may be state. Courts may be classified as to jurisdiction in three ways: (1) courts of general jurisdiction or of limited jurisdiction; (2) courts of original jurisdiction or appellate jurisdiction; and (3) courts with exclusive jurisdiction or with concurrent jurisdiction.<sup>2</sup> The federal system of courts comprises the district courts, the circuit courts of appeal, and the supreme court. In the states there is a greater variety of courts; these include police courts, courts of justices of the peace, municipal courts, county courts, district or circuit courts, courts of appeals, and supreme court. The names of these courts vary in different states, but the function and jurisdiction of state courts are suggested by these common names. The local courts belong to the state system; and this statement is not altered by the fact that local courts are financed out of local revenues, that the judges are elected by local ballots, or that the jurisdiction of a local court is limited to a specific geographical area.

Cases originate in some locality and must be brought before a lower federal or state court which has original jurisdiction. Only a small number of cases are appealed to the higher courts. Social workers have most frequent contacts with courts having jurisdiction in juvenile cases, domestic relations cases, small claims cases, and cases involving commitment to an eleemosynary or correctional institution. In counties with small populations a single county court

<sup>1</sup> *Constitution of the United States*, Art. III; Art. IV, secs. 1, 2; Amendments I-X, XIII, XIV, XV, XIX.

<sup>2</sup> Hugh E. Willis, *Introduction to Anglo-American Law*, 1931, p. 49.

usually has jurisdiction in all classes of cases, civil and criminal; but the court of the justice of the peace is limited to some small part of the county. Large metropolitan counties require several different courts, each of which may have a number of judges. In the same state considerable variety may exist; for example, in Indiana the circuit and superior courts have juvenile jurisdiction in all counties except Marion, which has an independent county juvenile court, and Vanderburgh, in which the probate court has juvenile jurisdiction;<sup>1</sup> and in Illinois the circuit or county court has juvenile jurisdiction, but in Cook County a juvenile branch has been created, and the circuit court assigns one of its own judges to the special duty of hearing juvenile cases.<sup>2</sup> Occasionally a question of constitutionality is raised, and a case is appealed to a higher state or federal court. Welfare workers are interested in all such cases, the outcome of which may affect the achievement of the purposes of public welfare services.

What are the social interests, recognized by law, which appear in the course of administering a public welfare program? Dean Pound made a classification of all the social interests which he believed have been recognized by Anglo-American law. His major classes were social interests relating to (1) general security, (2) security of social institutions, (3) general morals, (4) conservation of natural resources, (5) general progress, and (6) individual life.<sup>3</sup> While all of these interests affect welfare workers in some degree, the first and last are the ones which most immediately concern them, and of these two the first one is of major importance. Under the general title of "general security" Pound listed the following subsidiary social interests:

i. Personality:

a. Physical person:

- |                     |                      |
|---------------------|----------------------|
| (1) Direct injury   | } Physical existence |
| (2) Bodily health   |                      |
| (3) Freedom of will |                      |
| (4) Mental health   |                      |
| (5) Nervous system  |                      |
| (6) Privacy         |                      |

b. Honor and reputation—Social existence

c. Belief and opinion—Spiritual existence

<sup>1</sup> *Burns Indiana Statutes Annotated*, 1933, 9-2801 and 4-3011.

<sup>2</sup> *Smith-Hurd Revised Statutes of Illinois*, 1933, ch. 23, secs. 191, 192.

<sup>3</sup> Roscoe Pound, *Dunster House Papers*, 3-4. Quoted by Willis, *op. cit.*, pp. 16, 17.

2. Domestic relations:
  - a. Parental
  - b. Marital
3. Substance:
 

<ol style="list-style-type: none"> <li>a. Property</li> <li>b. Freedom of industry and contract</li> <li>c. Promised advantages</li> <li>d. Advantageous relations</li> <li>e. Free association</li> </ol>	}	Economic existence
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It is the business of the courts to see that the citizen is protected with respect to these social interests which have been recognized in law, and it is one of the duties of public welfare agencies to assist the citizen, when he needs help, to secure protection at the hands of the courts. The citizen may apply to the court for a writ of mandamus to require the public welfare authorities to perform their duties which the law has given them, if they refuse to discharge such duties properly. Hence the court is the agency through which justice is obtained under the rules of law.

### PROTECTION OF RIGHTS

"A legal right is the legal capacity, or ability, to enforce action or forbearance (performance) by another, because it is his duty."<sup>1</sup> Personal safety, property, reputation, contracts, and fiduciary relations are illustrations of rights. For each right there is a correlative duty to perform some act or forbearance for another. The court is in the position of an umpire who determines what the law is in a specific case where an issue involving right and duty has arisen. The court is the agent of the state which stands in the relation of *parens patriae* to the citizens: "parent of the country" and, therefore, protector of the citizens. It is of fundamental importance that the state through the courts has the duty of protecting the rights of individuals, but means must be established to make it practically possible for the individual to receive redress. The court "sits in the seat of judgment"; it does not seek out persons whose rights are jeopardized or overridden. The individual must bring his problem to the court on his own initiative, or it must be brought by someone who has the duty or the right to seek justice for him. When the case is brought into court, a decision is rendered, and it is then the responsibility of

<sup>1</sup> Willis, *op. cit.*, p. 22.

some agency of the executive branch to carry out the judgment or to assist the aggrieved person in securing his social interests. The court sits; the executive acts.<sup>1</sup>

**Rights of Children.** Children have the right to maintenance, care, and education by their parents. The parents of some children, because of physical, mental, or economic disabilities, are unable to perform the normal duties of parents. Other parents are not interested in their children and are derelict in their duties toward them. Some children have no parent or only one parent living. If the parent of a child or any interested citizen of the community petitions a court of competent jurisdiction to intervene on behalf of a child who is either dependent or delinquent, according to the statutes, it is the responsibility of the court to hold a hearing and determine what should be done to protect the child. When dependency, neglect, or delinquency is established, the court may decide that the child should remain in the home in which he is living, and issue an order to correct the condition complained of; or the court may decide that the present home is not suitable, and order the child removed and placed in some other family home or institution. In the latter case the parents, or the present custodian or guardian, may be declared unfit, and a suitable guardian may be appointed by the court.

All states except Nevada have qualified for aid to dependent children provided in the Social Security Act. Under this type of legislation a needy child is given assistance by a welfare agency on the basis of a case-work investigation and social diagnosis; no order of the court is necessary. Until recently, in some states which have been backward in bringing their children's legislation up to date, a dependent child could receive financial assistance only under the pauper laws or on order of the court. In states which have this type of legislation, many children in need cannot qualify for aid to dependent children because their family homes are unfit and no home with near relatives is available. These children have to be placed in foster homes or in institutions, and in either case the court has to appoint a guardian to act in the place of the natural parent during the minority, or other specified maximum age limit, of the child. In the normal course of their activities social workers frequently find homes which seem unfit for the children to continue to

<sup>1</sup> Occasionally a judge with long and successful experience on the bench is elected governor, but does not change his customary attitude toward new problems, so that he may be accused of continuing to "sit" instead of to act.

live in. In such instances they may petition the court to hold a hearing and make a finding of fact regarding the adequacy of the home. If the court finds the home to be unsuitable, it must determine what should be done about the child or children. Because of illness or economic distress, the parent of a child may ask the court to make the child a ward of the court and place him in a foster home or institution. This is often a temporary measure, but in order to pay for the child's maintenance out of public funds under these circumstances an order of the court is required.

The custody of a child is determined by what the court conceives to be the welfare of the child. "In any contest before a court for the custody of minor children, the welfare of the child or children is the matter of chief importance; and the consideration of their welfare will prevail over any mere preponderance of legal right in any one or the other party."<sup>1</sup> This rule is supported by many court decisions in many states. One may differ with the court as to what is for the best interest of the child, but that the welfare of the child should be the determining consideration in his custody is established in law. Even a parent has no vested right in his child. "So far as the decisions have spoken on this subject [*i.e.*, adoption], they indicate that a parent has no vested right in his or her child, and that the legislature may interpose between the parent and child such regulations as it may deem best for the welfare of either, and that because of its duty 'as *parens patriae* to guard the interests of dependents and protect and control them,' it may authorize a decree of adoption to be made without any notice either to the infant or to its parents, guardian, or next of kin."<sup>2</sup> To take a child from parents or guardian and to order the child placed in a foster home or an institution in the custody of a new guardian usually implies a temporary arrangement which may be modified when conditions change, but a decree of adoption is issued on the assumption that a permanent, new arrangement had to be made for the child.

Frequent occasion for resort to the courts occurs in connection with children born out of wedlock. Approximately 80,000 children are born of unmarried parents each year in the United States, or almost 4 per cent of all births.<sup>3</sup> A considerable proportion of these

<sup>1</sup> 20 *Ruling Case Law* 601.

<sup>2</sup> 1 *Ruling Case Law* 594. See also *Van Matre v. Sankey*, 148 Ill. 557, and *Nugent v. Powell*, 4 Wyo. 173.

<sup>3</sup> Grace Abbott, *The Child and the State*, 1938, Vol. II, p. 496. For an extended treatment of the problems of illegitimacy, see Part III of Vol. II.

children come to the attention of welfare agencies for various reasons. If the father refuses to recognize the child, an action in court may have to be brought to establish paternity. Frequently the father admits paternity but declines to support the child, and that calls for court action. Questions of both income and property of the father are at issue. The mother may not be a suitable person to rear the child, in which case steps may be taken through the court to place the child in a boarding home or in an adoptive home. In cases of illegitimacy the same principle of what is for the best interests of the child holds as in other cases.

Child labor laws are usually enforced partly by federal and state labor departments and partly by the school authorities. Compulsory school laws often require a child to attend school up to age 14 or some other age, or until he has finished a certain grade. The law may permit children under a somewhat higher age to work at occupations not specifically forbidden but may require the child to have a work certificate from the school board. By such regulations the schools assist in enforcing the minimum age for entrance into employment. Federal child labor laws have been held unconstitutional in two important decisions of the United States Supreme Court.<sup>1</sup> The proposed child labor amendment to the federal Constitution is still before the state legislatures. The state supreme courts in a number of cases have held the state child labor laws to be constitutional. The double indemnity clause of some workmen's compensation acts in the case of children working in violation of child labor laws has some deterrent effect upon the employment of children who are under age. Because public welfare agencies are engaged in work with both adults and children, the workers learn of violations of the child labor laws and have occasion to refer such cases to the agencies directly responsible for administering these laws, or, if the situation warrants, they can take the case into court themselves. It is the business of the court, whoever petitions the court on behalf of the child, to determine whether or not the law has been violated and, if so, to provide redress, or to impose the penalties prescribed by law, or to do both.

**Right to Public Assistance.** The "legal right to relief," in the full meaning of the phrase, is in many respects an undetermined question. The pauper laws impose the responsibility of giving relief upon

<sup>1</sup> *Hammer v. Dagenhart*, 247 U. S. 251; and *Bailey v. Drexel Furniture Company*, 259 U. S. 20.



the township or county authorities, and the statutes emphasize the duty of the proper officials in this regard, but in the case of general relief almost unlimited discretion in the granting of relief in specific cases is given the local authorities. Unless the state supervises the administration of relief, there is little opportunity for an administrative appeal. Indiana and Iowa provide for an appeal from the decision of the township trustee to the county commissioners.<sup>1</sup> In a few states administrative appeals may be taken to the state department of assistance or public welfare. In one of these states, Washington, a further appeal may be taken to the county superior court. Five other states provide for appeals from the county relief authorities to the county courts.<sup>2</sup> Eligibility for relief is a complex concept; it involves not only the mere fact that the applicant is in need, but also the kind of relief needed, and the quantity of relief required to meet the situation. The courts may declare that the relieving officers are obligated to give relief in cases which come under the law, but except in a few states where the county courts administer relief they are in no position to determine who shall have relief and how much.<sup>3</sup> The court can interpret the law, but it has been found invariably difficult for the court to apply the interpretation in specific cases. Where contractual rights are involved at some point in the administration of relief, the court can, of course, enforce the expressed or implied terms of the contract; if a grocer, for example, has supplied food on order of a relieving officer to a poor person, the grocer can collect what is owed to him, but no question of eligibility for relief is raised in this kind of case. Without more specific and objective definition of need and eligibility in the poor laws, it is difficult to see how the court can adequately protect the right of the applicant to general relief.

The case for categorical public assistance is somewhat different. The laws relating to the aged, the blind, and dependent children contain criteria of eligibility other than the fact of need. These criteria are defined in the statutes, and even some objective test of need is usually set up. The case of *State ex rel. McDonald v. Stevenson et al.* in the state of Washington illustrates a kind of issue which the court may determine.<sup>4</sup> "James McDonald filed a petition in the superior court of King County in which he sought a writ of mandamus di-

<sup>1</sup> Robert C. Lowe, *State Public Welfare Legislation*, 1939, pp. 48, 49.

<sup>2</sup> *Ibid.*, pp. 48-51.

<sup>3</sup> For a discussion of court decisions relating to relief, see Chapter VIII, pp. 183-185.

<sup>4</sup> 29 *Pacific, 2nd Series* 400.

rected to the members of the board of county commissioners of that county requiring them to carry into effect the provisions of the Old Age Pension Act (chapter 29, p. 173, Laws 1933). After the petition was filed, an alternative writ of mandate was issued, and the commissioners were required to show cause why a permanent writ should not issue."<sup>1</sup> The writ was obtained, but the petitioner took an appeal to the Supreme Court of Washington on the ground that the decision of the superior court did not direct the commissioners to draw warrants upon the county treasurer or to provide funds for the payment of assistance. The case was remanded by the Supreme Court to the lower court with instruction to amend the judgment and to give the additional relief to which the appellant was entitled under the law.<sup>2</sup> If the debt limit in King County was not reached or if the commissioners had power to levy additional taxes, it is probable that this decision was and would be effective in securing *some amount* of assistance for needy aged persons, but it would not determine the adequacy of the assistance given.

Another case from the state of Washington, *Smith v. Spokane County et al.*,<sup>3</sup> approaches the matter of relief standards. The application of the petitioner was denied by the county commissioners on the grounds that he was earning money (15¢ to 25¢ per day selling papers) and had not proved that he had no relatives liable and able to support him. In satisfaction of the statutory requirement that an applicant for blind assistance prove that he had no relatives liable and able to support him, the petitioner had presented two affidavits of reputable citizens in the county certifying that he had no such relatives to their knowledge; that kind of proof was admissible under the statute. The superior court had admitted a demurrer filed by the county commissioners, and the petitioner appealed to the Supreme Court. In its opinion the higher court said: ". . . although the county commissioners should have, and do have, a very wide discretion in such matters, with which the courts will not interfere, they cannot act arbitrarily and capriciously as the complaint directly charges they did. Under such circumstances their action may be reviewed by the court."<sup>4</sup> The judgment of the lower court was reversed, with direction to the trial court to overrule the demurrer. While the court does not state how much assistance the applicant should receive, it lays down the principle that rejections must not be arbitrary or capricious. Is it possible that in another case, where,

<sup>1</sup> *Ibid.*<sup>2</sup> *Ibid.*<sup>3</sup> 48 *Pacific, and Series*, 918 ff.<sup>4</sup> *Ibid.*, p. 920.

for example, \$10 a month was given but reasonable proof of the need for \$25 was presented, the court would rule that \$10 implied an arbitrary and capricious act? If such a case were presented and a decision favorable to the petitioner handed down, the principle of the right of the court to determine standards of assistance would be asserted.

**Rights of Persons Committed to Institutions.** The procedure prevailing for the commitment of persons to eleemosynary institutions is judicial. If relatives or interested citizens propose to have some person committed to a hospital for the insane, an institution for epileptics, or a school for the feeble-minded, the allegedly afflicted person is entitled to a court hearing and in many states to a trial by jury. A few states have provided for commissioners to determine need for commitment, and in all states some examination by one or more physicians, or a psychologist, or both, is required by the court. The trial by jury puts the afflicted person substantially in the position of a person on trial for violating the law, although, as in the case of the court hearing, its purpose is to protect the patient's right to liberty. However, it is quite unnecessary, because the patient (defendant!) always has the right to institute *habeas corpus* proceedings. While psychiatry has made extraordinary advances in recent decades and the risk of leaving mental patients at large is better understood, the denial of the right of *habeas corpus* would be against both the individual and the public interest. Without this elemental, summary remedy against illegal restraint of personal liberty, serious injustice could be done and criminal intentions carried into effect. The maintenance of this right unabridged by the courts is not inconsistent with the fullest use of expert diagnosis and even commitment without a court proceeding, but it may be questioned whether indefinite commitment should be legal without a hearing in a court of law. Temporary commitment with specific terminal dates without the intervention of the court is doubtless safe and probably in the interest of the patient. Protection of society and protection of the individual from injury are primary considerations, but they should be accomplished within the forms of chancery proceedings.

Commitment, or sentencing, to a correctional or penal institution is always by a court. The police or the sheriff may put an individual in jail for safekeeping pending his appearance in court. He has a right to employ counsel or, lacking money to pay an attorney, to

have counsel appointed for him by the court. Preceding commitment, some charge of violation of law must be proved in court, or the individual must plead guilty to the facts as charged. The institution to which he is committed and the term of commitment are specified or roughly indicated by the statute. The court may be under the necessity of imposing a definite sentence, because the statute in such cases requires only one penalty, or it may have considerable discretion short of maximum penalties provided by statute. Indeterminate sentences are provided for most offenses now, and in most states the administrative authorities in fact determine the exact length of the sentence by parole procedure. A few of the more serious crimes against the nation or the person carry definite sentences. Juveniles are ordinarily committed, not sentenced, to correctional institutions, and the commitment is usually for the minority of the individual, if in the discretion of the administrative authorities he should be detained that long. The right of *habeas corpus* is no less important in the case of persons committed to correctional or penal institutions than it is in the case of others committed to eleemosynary institutions; children have been committed to correctional institutions because they were dependent or neglected, and adults have been "railroaded" into prison or convicted without a knowledge of some facts which later came to light.

#### COURT ADMINISTRATION OF WELFARE SERVICES

A few public welfare services are administered by the courts. These include certain services to dependent and delinquent children and to families in the case of separation or divorce. The administration of welfare services by courts is in general a misplaced function and is gradually being corrected by transferring such services to the executive branch. Prior to the passage of the Social Security Act many states administered mothers' aid through the courts, but under the new act, in order to obtain federal grants-in-aid, the service must be administered by an agency of the executive branch or by a purely administrative agency set up by the court. It is perhaps impossible to segregate all governmental functions completely and have no overlapping of legislative, executive, and judicial functions. Legislative bodies sometimes audit the operations of executive departments to determine compliance with appropriation laws. Executive agencies issue rules and regulations which have "the force and

effect of law." But it is obvious that American governmental theory presumes a substantial separation of powers into the three types and implies watchfulness to prevent encroachments of one branch upon another except where "expressly directed or permitted" by constitutional authority.<sup>1</sup>

There is a practical reason for removing public welfare administrative functions from the courts. The essential nature of the court, the character of the organization of the court, and the psychology of the judge are directed toward the manipulation of concepts rather than people and things, and toward the intellectual resolution of conflicts rather than the direction of a dynamic process to solve the conflict. When a judge has made a decision and applied the law, he has performed a complete judicial act, but unfortunately he may think he has solved a problem. He may have solved an intellectual problem or a social problem on paper, but he has not solved the social problems of a concrete individual, because they require time and expert, continuous adaptation of appropriate means to the desired end. The judge sits; the executive acts. The mental habits of the two officials have important differences. The judge may sit in judgment upon an issue involving the rights of an individual, but the executive in public welfare administration must assist the individual to achieve his rights in everyday life. The judge tends to stop short of the achievement of rights in terms of the meticulous details of living.

**Dependent Children.** It is a judicial function to determine whether or not a child should be taken from its parents or guardians, if any, and made a ward of the court, but in the past the law has given the court responsibility for administering or supervising the administration of local institutions for dependent children. The institutions maintained by the county boards of children's guardians in Indiana, before the Welfare Act of 1936 abolished the boards, furnish a good illustration. The county court with juvenile jurisdiction appointed the boards and indirectly, if not directly, the employees of the institution. Hence the court not only committed the child but directed the treatment of the child. Judges ordinarily served one or two terms. They had little knowledge of social work with children; consequently, they appointed their friends who were of the proper political faith and who, aside from wanting jobs, were pre-

<sup>1</sup> Such loopholes appear in the state constitutions. Miss Breckinridge has cited a number of them in her work, *Social Work and the Courts*, Section I.

sumed to have good intentions toward children. If good standards happened to be required and maintained under one judge, there was no assurance that they would continue under his successor. This situation was greatly improved in 1936, when the institutions were placed in the county welfare departments, under the supervision of the State Department of Public Welfare; something like uniform and continuous standards of service then became possible.

Placement of children in foster homes has frequently been under the supervision of the court. Again, it is the proper function of the court to decide whether or not a child should be changed from his present home and placed in a foster home, but the technical competence of the court ceases when this decision is made. Some properly organized and licensed agency, public or private, should then be made the guardian of the child and should assume responsibility for continuing case-work services as long as they are needed. The court should intervene again only when matters requiring adjudication arise. When the rights of the child are jeopardized or there is a question of changing the guardian, the court is obviously involved, but in the day-by-day social treatment of the child only the administrative agency is technically competent to deal with the situation.

**Delinquent Children.** Frequently when children are taken into custody on order of a court, they have to be kept in an institution until some disposition is made of the case. Institutions for this purpose are known as detention homes and are often under the control of, if not administered by, the court. For example, the Illinois law authorizes the county commissioners to provide "a detention home for the temporary care and custody of dependent, delinquent, or truant children," but the county judge is empowered to appoint the superintendent and other employees, subject to approval by the county commissioners.<sup>1</sup> The county commissioners have the veto power on appointments, but they cannot nominate persons for the positions, and the chances are good that the appointees will be political friends of the judge and without any competence as social case workers. The detention home should be administered by a county welfare department, and the court could commit children to

<sup>1</sup> *An Act to authorize county authorities to establish and maintain a detention home for the temporary care and custody of dependent, delinquent, or truant children, and to levy and collect a tax to pay the cost of its establishment and maintenance.* Approved May 13, 1907.

it for temporary custody just as it commits children to an institution for long-time care.

Probation has traditionally been administered by the courts. The law usually provides that the court may appoint such probation officers as it may deem necessary within a maximum limit fixed by law. This is a curious anomaly in the treatment of offenders against the law, for the court does not administer prisons or correctional institutions, and only rarely does it have anything to do with the granting and supervision of parole. However, in the larger cities and in a few states there is a growing tendency to create centralized probation departments. "In States where probation service is organized on a State-wide basis under a centralized department, the trend seems away from vesting the appointive power in the judiciary."<sup>1</sup> In Vermont the commissioner of public welfare appoints probation officers with the approval of the governor. They are appointed in Washington by the state prison board, and in Wisconsin they are selected under civil service laws.<sup>2</sup> Federal probation officers are selected by the federal judges. Since 1907 the courts of Illinois have had power to appoint probation officers. In 1911 the Cook County commissioners undertook to discharge a probation officer of the juvenile court. The officer, John Witter, filed in the circuit court a writ of *certiorari*, requiring the commissioners to bring the records into court. Witter alleged that he was not under the control of the Board of Commissioners nor of the Civil Service Commission, but was an employee of the court. The case was later carried to the Supreme Court of the state, which ruled that Witter was an employee of the court and was not under the control of either the board or the commission. The ground for this decision was the doctrine of the separation of powers; if the board or the commission could discharge Witter, it would have power to interfere with the judicial branch of the government, which is repugnant to the constitution.<sup>3</sup> This decision has governed since that date. Only a new case in which the court reverses itself, or new legislation, can give probation administration an executive status in Illinois.

**Family Support.** In cases of desertion, separation, or divorce, suit may be brought to compel the husband to support his wife or to support the children. In divorce proceedings the amount and frequency

<sup>1</sup> Attorney General's Survey of Release Procedures, 1939, Vol. II, "Probation," pp. 95, 96.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Witter v. County Commissioners of Cook County*, 256 Ill. 616.

of payment is stated in the decree; by permission of the court the support money may be paid directly to the former wife or to the guardian of the children, or the court may require it to be paid to the court, which in turn gives the money to the dependents. In either case the court is acting as an administrative agency. Since the interests are private and in most cases do not involve the executive branch of the government, a better case can be made out for this executive function of the court, if it may be construed as an executive function. When support money is being paid directly to the dependents and lapses, social agencies frequently intervene to assist the dependents to have the husband or father brought into court. Thus there is potentially a continuing judicial aspect of family support cases.

#### DETERMINATION OF CONSTITUTIONALITY

The law is what the courts say it is. The courts determine not only the law with reference to a particular set of facts but whether or not the statute or ordinance in question is valid law under the constitution. The conception of the constitution held by the courts changes through the years, so that an appellate court, as constituted in one decade, may regard a statute as inconsistent with the basic law of the state or nation, whereas in the next decade a differently composed court may find a similar statute valid according to the constitution. The decades of the 1920's and the 1930's furnish an illustration of this sort with respect to the United States Supreme Court. The prevailing social and political philosophy of the courts is therefore a matter of vital importance to the public social services and to those who administer them. Just how important this is will be illustrated by a few decisions which have affected the development and administration of public welfare services.

**Forsyth v. Court of Sessions.** The practice of suspending sentence and releasing a convicted offender on "probation" grew up in certain jurisdictions without specific legislation until many years later. These early laws permitted suspension of sentence, which is the essential judicial act in probation, although they did not contemplate the sort of follow-up, case-work treatment which is associated with probation today. New York was one of the first states to enact such statutes, and a crucial case came to the New York Court of Appeals in 1894. A clerk in a drugstore had been convicted of grand



larceny by the trial court, and the court suspended sentence. The state's attorney charged that this was an infringement of the power to pardon held by the chief executive of the state. In the decision of the higher court the opinion was given that all superior courts with criminal jurisdiction have power under the common law to suspend sentence, when the judge feels that the evidence was uncertain or there were extenuating circumstances, and hence that the trial court in this case had power to suspend sentence.<sup>1</sup> The *Survey of Release Procedures* by the Attorney General of the United States notes that this case is most often cited in justification of suspension of sentence.<sup>2</sup>

**Kotch v. Middle Coal Field Poor District.** A new law creating a department of public assistance in Pennsylvania was challenged in 1938 on the ground that the law was inconsistent with constitutional provisions because it abolished 425 Poor Boards, 67 County Mother's Aid Boards, and the State Emergency Relief Board and set up in their place a uniform, state-wide administrative organization. The question at issue was whether or not this new legislation had in fact abolished the Poor Boards. The Pennsylvania Supreme Court held that the public assistance law was in line with more than 100 years of legislative history and that it was constitutional.<sup>3</sup> This case is important, because it establishes the power of the legislature to set up state standards of public assistance and to create the administrative machinery necessary to carry them into effect.

**Borreson v. Department of Public Welfare.** A recent case in Illinois raised the question of separation of powers between the executive and judicial branches. John Borreson had applied for old-age assistance in Macon County. The county authorities granted \$20 per month, but when the case came up for review by the State Department of Public Welfare, it was rejected. Borreson appealed to the circuit court for a trial *de novo* on his application. The court took jurisdiction, heard the case, and awarded the plaintiff assistance of \$24 a month. The State Department, being the defendant, appealed the case to the Supreme Court. The language of this decision is so important that it is quoted at length here:

"1. Constitutional Law—construction of article 3 of *constitution dividing powers of government*. The provision of article 3 of the constitution

<sup>1</sup> *People ex rel. Forsyth v. Court of Sessions*, 141 New York 288.

<sup>2</sup> *Op. cit.*, p. 6.

<sup>3</sup> *Kotch v. Middle Coal Field Poor District*, 281 North Western 201 (Penna., 1938). Summarized in the *Social Service Review*, Vol. XII, pp. 699, 700.

with respect to the separation of powers of government is declaratory of one of the basic principles of the State government, and each of the three departments is to perform the duties assigned to it and no department may exercise the powers properly belonging to either of the other two.

"2. Pensions—*provision of section 10 of Old Age Assistance Act, for trial de novo in circuit court: is invalid.* The powers and duties devolving upon the Department of Public Welfare under the Old Age Assistance Act are executive or ministerial and are to be exercised under and conformably to the law itself, and the provision of the third paragraph of section 10, for a trial *de novo* in the circuit court of the question whether assistance shall be granted, modified, or denied, is invalid as granting executive power to the judicial branch of government, as the power is not limited to a mere review of the administrative action of the department but the court is authorized to exercise the same power as the department in the administration of the act." Decision of the lower court reversed.<sup>1</sup>

This case has both a direct and an incidental effect upon the old-age assistance program in Illinois: the direct effect is to eliminate the possibility of an appeal from an administrative decision in order to get a new hearing on the facts of eligibility, and the incidental effect is by implication to define the "legal right to relief" as something less than and different from other rights, such as those which are correlative with the social interests enumerated by Dean Pound. The right to old-age assistance and the amount to be awarded are matters not for judicial, but for administrative decision.

These cases serve to illustrate the importance of cases involving constitutional questions. Probably every state has had one or more such cases which are related to the administration of public welfare services, and occasionally such a case reaches the United States Supreme Court. Such decisions represent the final definitions of major policies at the moment.

### QUESTIONS

1. What is meant by social interests, rights, and duties?
2. How are the rights of children protected in adoption proceedings in your state?
3. When may the court appoint a guardian (1) for a child and (2) for an adult in your state?
4. To what extent is old-age assistance a legal right?

<sup>1</sup> John Borreson, *Appellee, v. The Department of Public Welfare, Appellant*, 368 Ill. 425.

5. Interview a judge of some county court, which has jurisdiction in cases involving commitment to eleemosynary institutions, regarding the protection of the rights of patients through judicial proceedings.

6. What welfare services in your state are administered by the courts?

7. Do you think the plan for administering family support money which has been ordered by the court, in your state, is satisfactory?

8. What decisions of your state supreme or appellate court during the last ten years have materially affected the public welfare program?

## CHAPTER VIII

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### MATERIAL RELIEF

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Material relief includes payments of money and assistance in kind. Money payments may be made in cash or by check. Relief in kind may take the form of grocery orders, orders for other necessities, or maintenance in an institution. A relief agency may provide more than one kind of relief; for example, it may pay cash to persons living in their own homes, and it may provide relief in kind to others who are maintained in an almshouse. The agency may give the client cash for food and clothes but pay the rent directly to the landlord. Likewise a client who receives cash to pay his ordinary expenses may be given authority to consult a physician but no money to pay for medical services; the agency pays the physician at some rate previously agreed upon. Some material relief is given under the pauper laws, and the recipient is legally a pauper. On the other hand, certain groups of needy persons have been removed by statute from the jurisdiction of the pauper laws, and the recipient of material relief under these new laws avoids pauper status, although he is being supported at public expense.

The term "pauper" has varying significance. As a colloquial term it is likely to be applied quite generally to the inmates of almshouses, and it is common to apply it to persons receiving aid from the traditional overseers of the poor, such as township trustees or township supervisors. But many states have adopted new legislation regarding direct relief which does not designate recipients of relief as paupers. In 1939, 15 states, 2 territories, and the District of Columbia had such laws.<sup>1</sup> One of the aims of the new public assistance laws was to remove these special categories of needy persons from the scope of the pauper laws. Historically, "When any member of the legally constituted family is in need of support, and the legal head of the family, on whom the duty to support the family

<sup>1</sup> Robert C. Lowe, *State Public Welfare Legislation*, 1939, Table 4, pp. 68-69.

legally rests, is unable to furnish it, the legal head of the family becomes a pauper, and the whole family takes their status from him.”<sup>1</sup> But even under the older statutes and the applications of the common law, “It is often a matter of statutory construction as to whether a person under given conditions is a pauper, such as a prisoner, a person who by reason of a sudden illness or calamity is without means to secure medical attendance, nursing, and maintenance during his illness, or persons to whom in times of stress aid has been extended, *e.g.*, the families of soldiers in time of war; and it has been expressly provided that persons who become needy and are assisted with necessary food, medicine, etc., while in quarantine on account of a contagious disease, shall not be considered paupers.”<sup>2</sup> The tendency in recent social legislation throughout the country has been to omit any reference to pauper status, or specifically to eliminate it, in the cases of the unemployed, the aged, the blind, and dependent children. Occasional need of assistance on the part of large numbers of the population is now recognized as an inevitable consequence of industrial civilization.

#### ADMINISTRATIVE VARIETIES

There is only one reason for material relief: the lack of the means of subsistence. This lack may be due to unemployment, physical or mental infirmities, or childhood, but whatever the cause of the condition, the problem for public welfare agencies is maintenance, and the solution is money to buy food, clothes, shelter, medical care, and minor things. The money may be given to the client, or he may be given an order on the persons who supply these necessities of life. Because the public was so slow to recognize the economic handicaps of age, blindness, childhood, and the instability of employment, it was necessary for the more clear-sighted citizens to dramatize each of these handicaps. As the handicap became dramatized, the community was induced to provide funds for the victims. Thus we have developed the categories of public assistance.

**General Direct Relief.** General direct relief may be essentially unemployment relief, as it was under the Federal Emergency Relief Administration, or it may be relief under the old poor laws, as it now is in most states. When it is regarded as “unemployment relief” it is a special category, but for the most part it does not have that

<sup>1</sup> 21 *Ruling Case Law* 706.

<sup>2</sup> 21 *Ruling Case Law* 707.

classification. General direct relief, when it is administered by township trustees and township supervisors, is the lineal descendant of the old Elizabethan Poor Law, and, far from being a special category of public assistance, it is the grab bag out of which the modern categories have been taken. Administratively, however, it is a well-recognized form of material relief. Several states still leave this form of relief to the local poor-law authorities without supervision or money aid from the state administration. Most of these states lie east of the Mississippi River and north of the Ohio River; but Iowa and South Dakota are west of the Mississippi, and Mississippi and North Carolina are south of the Ohio. In these states no important steps toward the conversion of the poor law into a public assistance law have been taken. The old pauper-law states include all of the New England states except Rhode Island and all of the other northern states east of the Mississippi except New York and Pennsylvania. They have been unable to accept a more modern and realistic viewpoint and to throw off the incubus of the ancient poor-law tradition. The county courts administer general relief in Arkansas, Kentucky, Missouri, Oregon, and Tennessee. This kind of organization is almost certain to insure a uniformly low grade of administrative competence, for two reasons: first, because the judges are enmeshed in the legal tradition which includes the poor law, and second, because in practice judges have had a rather poor record in the selection of qualified personnel for anything except strictly legal matters. In three of these five states, the state department of public welfare is given some supervisory relation to the administration of general relief, but one may question whether or not in view of the doctrine of separation of powers this statutory provision for supervision is of any value. The other twenty-six states, plus Alaska, Hawaii, and the District of Columbia, have made some advances toward the establishment of central administration or supervision of local poor relief. They represent the line of progress.<sup>1</sup>

Requirements for eligibility differ in detail but are of the same general character in the several states. The classes of persons given general relief include indigent, infirm, insane, sick, and unemployed persons. Legal settlement in the state or local political subdivision, or both, is required in all except five states. Required residence in

<sup>1</sup> Factual statements in this paragraph summarized from Lowe, *op. cit.*, Table 1, pp. 48-53.

the state ranges from one to three years, and in the local political subdivision from ninety days to five years. The purpose of required legal settlement is to prevent persons from entering the state or subdivision when they are not self-supporting, and to keep from gaining a legal residence those who need assistance before they have lived in the locality a reasonable length of time. In forty states and Alaska relatives are responsible for the support of a needy kinsman. If relatives are to be held responsible for their indigent kinsmen, then the decision as to whether or not they are able to give support should rest upon a study of the income and budgetary requirements of the relatives, and the budget permitted before responsibility is enforced should be reasonably generous.

The types of relief given in the several states include institutional care, home relief, contract care (hiring out the poor to persons willing to care for them for a fee or for their work), medical care, hospitalization, and burial expense. Nine states give all forms of relief, and two states and one territory give only home relief. In thirty-four states and two territories the central government pays all or a part of the cost of general direct relief.<sup>1</sup>

Whether general relief is administered as a remnant of the Poor Law or as a form of modern public assistance, it remains the most important form of home relief, because it is flexible, requires only need as a condition of assistance, and includes among those served both sexes and all ages. It is par excellence "emergency relief." The first relief experience of a client, of whatever age or sex, is likely to be with general relief. The agency administering this kind of assistance should, more than old-age assistance, perhaps, have trained and experienced social workers and supervisors.

**Old-Age Assistance.** Old-age assistance is one of the special categories of need which in recent years has been taken away from care under the pauper laws. Prior to the passage of the Social Security Act thirty states had enacted some kind of old-age assistance legislation, but with the exception of the New York law which went into effect in 1930 the laws were quite inadequate to cope with the problem presented by the needy aged. Many of the plans provided for county option. Under such conditions the counties were inclined to ignore the law altogether or to appropriate insufficient funds for minimum needs. New York had established a system which was

<sup>1</sup> For details of requirements and types of relief, see Lowe, *op. cit.*, Tables 2-5, pp. 54-75.

administered through welfare districts but closely supervised by the State Department of Social Welfare. Case workers were selected on the basis of qualifications, and the amount of assistance in individual cases was determined by case-work procedure. The state government in twelve states paid nothing toward old-age assistance, whereas in six states it paid the whole cost. The administration of old-age assistance outside of New York was assumed to be a very simple matter. It was believed that any public official, regardless of experience or training, could determine eligibility and pay out money. Administration in New York has, even after the enactment of the Social Security Act, remained on a higher level than administration in almost any other state, because the old-age assistance program had been regarded as a task for case workers.

When the Social Security Act became law August 14, 1935, a long step was taken toward raising the standards of old-age assistance and toward securing some degree of uniformity in administration. The act provided for federal aid to states which had old-age assistance plans that met the following conditions: (1) plan in effect in all political subdivisions of the state; (2) financial participation by the state; (3) a single state agency to supervise or to administer the plan; (4) provision for granting a fair hearing to any individual whose application for old-age assistance is denied; (5) provision of such other methods of administration, except those relating to personnel (changed by the amendments of 1939), as are necessary for the efficient operation of the plan; (6) such state reports as may be required by the federal administration; (7) in cases of recovery from the estate of a recipient remittance of one half to the federal government; (8) minimum age requirement for eligibility of not more than 65 years, although states might set 70 years of age as the minimum until January 1, 1940; (9) requirement of not more than five years residence out of the last nine years, provided that the applicant resided in the state the year immediately preceding application; and (10) exclusion of no citizen of the United States.<sup>1</sup> Obviously the possibility of variations in organization and administration in the states is very great, even with these conditions mandatory upon every state, but some progress has been made toward the establishment of a national system of old-age assistance on a more adequate basis than we had had before.

Some of the differences in state organization and administration

<sup>1</sup> Title I, Sec. 2 of the Social Security Act.



will now be indicated. In fourteen states old-age assistance is administered by the state agency, whereas in all others the state agency provides supervision of the county, or in New England the town, agency. Under the state-administered plans the state may utilize the county as an administrative unit, or it may create old-age assistance districts. A few states originally set the minimum age at 70 years, but all of them had fixed it at 65 years by January 1, 1940. In 1940, 16 states and Hawaii did not specify citizenship in the United States as a condition of assistance; the other states, Alaska, and the District of Columbia required citizenship. Most state laws frame their residence qualification in the words of the Social Security Act. A few states have incorporated disqualifying conditions, such as desertion of family, failure to support children under a specified age, conviction of a felony within the last ten years, or habitual begging. Some state laws place limits on the amounts of personal and real property which an applicant may own in order to be eligible, but it is much more common to indicate a limitation on the amount of annual income allowable. The latter provision occurs in about half the state laws and always specifies that the amount of annual income allowed must not be as much as twelve times the maximum monthly assistance allowable under the state law. Recovery from the estate of a deceased recipient is not required in some states. The most common maximum grant per case is the amount specified for federal matching, but in 1947 13 states fixed no maximum and provided that the amount be "sufficient for reasonable subsistence," or similar phrasing. A few states guarantee minimum monthly income up to the maximum monthly allowance under the state law. There have been some tendencies toward excessive payments to old people, to the neglect of other needy persons. The Colorado law provides the best illustration of this tendency. At one time the old-age assistance scheme in this state almost bankrupted the treasury—a good illustration of what happens when romantic ideas of wealth get mixed with practical politics.<sup>1</sup> Because of the political power of the aged and their friends and relatives, it has been difficult in both the states and in Congress to prevent old-age assistance or other payments to old people from jeopardizing the welfare of children and young people.

For the sake of clarity in thinking, "old-age assistance" should be distinguished from "old-age pensions." Old-age assistance always

<sup>1</sup> For details see Lowe, *op. cit.*, Tables 6-11, pp. 78-99.

implies a means test: that is, the applicant to be eligible must be able to show that he lacks the means for reasonable subsistence. An old-age pension may not require a means test at all. It was awarded on account of service in the army or navy or as a recognition of services rendered upon the attainment of a specified age. It is also used to refer to a retirement annuity which has been predetermined by contributions of the aged person or other persons to a fund. Illustrations of the latter would be teachers' pensions, pensions of other public employees, and the annuities provided under the federal Old-Age and Survivors Insurance scheme. Under such conditions a means test is inapplicable, because the payments are made on bases other than need.

**Blind Assistance.** Because of the helplessness of most blind persons, they have excited the sympathy of the public as far back as historical records go. Although the census returns regarding blindness are not complete, it is probable that less than 20 per cent of blind persons are gainfully employed. About 44 per cent of the blind are past 65 years of age, and another 28 per cent are between 45 and 65 years of age. Thus, while the subsistence problem of the blind is to a considerable degree a complication of the problem of the aged, the majority of the needy blind would not be eligible for old-age assistance. Blind assistance would be in more than half the cases, therefore, invalidity assistance.

In 1935 twenty-seven states had laws providing for cash payments to the blind—and these states, as well as others, had other forms of aid to the blind, such as state schools for blind children. Data for twenty-four of these states indicate that the number of blind persons receiving assistance amounted to over 80 per cent of the number of blind persons reported by the census in these states in 1930.<sup>1</sup> The average monthly grant in 1934 was \$19.40, whereas the average amount granted to old people in a group of thirty states and territories was only \$14.68.<sup>2</sup> The Social Security Act made provision for federal-state blind assistance in Title X. The conditions which state plans are required to meet are, except for adaptation to the special case of the blind, similar to those established by Title I for the aged. By 1948 all jurisdictions except Alaska had plans for blind assistance in operation, although three state plans had not received the approval of the Social Security Administration and hence were not

<sup>1</sup> *Social Security in America*, by the Social Security Board, 1937. Computed from Table 65, p. 303.

<sup>2</sup> *Ibid.*, pp. 164, 303.

receiving federal grants-in-aid for the blind at that time.<sup>1</sup> In fourteen states blind assistance is administered directly by the state agency; in all the others which have programs of assistance, administration is shared with the local agency, generally a county welfare department. Blindness and need are the chief conditions of eligibility for blind assistance in the states. Blindness is determined by a physician who is a qualified ophthalmologist. Periodic re-examinations are provided for in some states, but in others re-examinations are made at any time on the initiative of the agency. In some states there is no provision for either a periodic or a special reconsideration of the case; once a blind person has been given an allowance, he may receive it the remainder of his life, regardless of improvement in his ability to earn a living or of changes in the degree of blindness.

To prove eligibility for blind assistance the applicant must present evidence of a number of personal qualifications. These relate to minimum age, citizenship in the United States, state and local residence, minimum degree of blindness, soliciting alms, ophthalmic operation, and a number of miscellaneous stipulations. Seventeen states omit any minimum age limit, but the others specify the age variously as 16, 17, 18, 21, and simply adult. United States citizenship is required in only a few states. Some residence requirement is prescribed in most states; it is a little surprising to find that two of these states are Connecticut and Massachusetts, where the legal settlement tradition is deeply entrenched.<sup>2</sup> Begging is a disqualification for blind assistance in about half of the states. In only about a third of the states can the administrative authorities require the applicant to undergo an operation as a condition of receiving assistance. The absence of this provision from the statutes of two thirds of the states indicates that in these states blind assistance is strictly a relief measure and that rehabilitation of the blind person by means of surgery has not been thought important. It is probably not inaccurate to classify as "backward" those states which give blind assistance without restriction on begging and without making surgical care, where indicated, a condition for receipt of assistance. The lawmakers in about half the states have been willing to adopt

<sup>1</sup> *Social Security Bulletin*, December, 1948, p. 8. The term "states" as used here and in the remainder of this paragraph, in statements based on Lowe, *op. cit.*, often includes both states and territories.

<sup>2</sup> Lowe, *op. cit.*, Table 13, pp. 109-112.

programs of blind assistance without giving serious consideration to the constructive possibilities of the programs.

Financial provisions of the state laws relating to blind assistance are in general similar to those concerned with old-age assistance. The laws of somewhat over one third of the states authorize the agency to recover all or a part of the amount of assistance granted when the estate of the recipient is settled. Half of the amount collected goes to the federal government. The maximum amount of blind assistance is usually stated as an amount "sufficient for reasonable subsistence." Most states fix the maximum amount payable at the federal matching limit, and a few fix a minimum amount. In 1947, 13 states had no maximum.<sup>1</sup> The amounts paid per recipient of blind assistance varied from over \$60 per month in California down to less than \$20 per month in Alabama.<sup>2</sup> In about half the states the costs of assistance are shared by the three levels of government: federal, state, and local. In all the others with federally approved plans, the costs are borne by the federal and state governments. The federal government pays 50 per cent of the amount of assistance granted, but it does not pay more than \$25 per month toward any allowance.<sup>3</sup> Any state which pays monthly allowances greater than the federal matching limit can get no part of the excess from the federal government. The proration of financial responsibility between the state and the local government is a matter of statutory determinations, and it varies among the states.

**Aid to Dependent Children.** What is called "mothers' pensions" is substantially the same as "survivors' assistance." It is more accurate to speak of "mothers' aid." This form of assistance was originally advocated in order to enable widows to take care of their children in their own homes. In 1931 the marital status of over four fifths of recipients of mothers' aid was widow. However, the tendency was to broaden the scope of the laws. "Information available in 1934 shows that in 36 states, the District of Columbia, Alaska, and Hawaii aid may be extended to mothers whose husbands have deserted (frequently granted only under specified conditions as to attempts to secure support and as to duration of the father's desertion) and in 21 states, the District of Columbia, and Alaska, to divorced mothers. The laws of these 21 states, the District of Columbia, and Alaska are very liberal, permitting aid to any mother

<sup>1</sup> *Annual Report*, Federal Security Agency, 1947, p. 110.

<sup>2</sup> *Ibid.*, p. 103.

<sup>3</sup> *Ibid.*, p. 110.

with dependent children, or to a dependent family in which the father is dead, divorced, physically or mentally incapacitated, imprisoned, or where he has deserted his family."<sup>1</sup> The aim of Title IV of the Social Security Act was to incorporate these liberal provisions of the twenty-one states and to extend the service to all children included within the definition of "dependent child": "(a) The term 'dependent child' means a child under the age of sixteen who has been deprived of parental support or care by reason of the death, continued absence from home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, or aunt, in a place of residence maintained by one or more of such relatives as his or their own home; (b) The term 'aid to dependent children' means money payments with respect to a dependent child or dependent children."<sup>2</sup> The plans for aid to dependent children in 47 states, the District of Columbia, and Hawaii had been approved by the Social Security Board up to the end of 1948, and these states were receiving federal grants-in-aid.

The federal government pays half the cost of aid to any child, except that it may not pay more than \$24 a month toward aid to the first child or more than \$15 a month toward aid of any additional child. These grants are available for children, who are otherwise qualified, until they are 16 years of age, but a number of states have extended the age limit to 17 and 18 years of age. The federal government provides matching funds for children up to age 16 or, if in school, up to age 18. For aged and blind people, the federal government pays half of any allowance which is \$50 a month or less. In the case of children, it pays and has paid a much smaller amount,<sup>3</sup> as indicated by the figures above, and it pays nothing to the mother or other person who is responsible for the care of the children. That can mean only one thing: either the state and the local governments add an allowance for the mother and increase the amounts for the child without any federal matching grant, or families receiving aid to dependent children live at a level much lower than that possible for the aged and the blind and, more inexplicable yet, lower than the per person general relief grant in many states.

This discrimination against children by the Congress of the United States requires explanation. It has been a common opinion among

<sup>1</sup> *Social Security in America*, pp. 234-235.

<sup>2</sup> Sec. 406 of Social Security Act.

<sup>3</sup> *Annual Report*, Federal Security Agency, 1947, p. 110.

private social agency executives that the raising of funds for child welfare is the easiest of all financing tasks. Yet the experience with aid to dependent children, as well as other kinds of help for children, when the funds come from taxes, has shown that this assumption, if applied to the public welfare services, was an illusion. Congress declined to authorize funds to children on a fifty-fifty matching basis when the Social Security Act was adopted in 1935, but it was quite ready from the first to pay half of an allowance to either the aged or the blind, the minimum age for blind assistance being never less than 16 years and often 21 years in the state laws. Four years later, in 1939, the Act was amended to provide for fifty-fifty matching of A.D.C. allowances up to the maximum specified in the law. The explanation seems obvious: all old people and most blind persons have votes, but children do not vote and they cannot organize lobbies in their own interest! Children arouse sympathy when in need, but they do not have political power with which to implement their battles in the legislatures and the halls of Congress. The only important pressure group which has consistently and persistently taken up the battle for the children so far has been the American Legion. It has had the support of professional groups, such as the Child Welfare League of America and the American Association of Social Workers, but neither of these can be regarded as a pressure group. Judges who prior to 1935 administered mothers' aid under state laws fought A.D.C. legislation in the states, because it generally deprived them of this function, and they felt that the loss of such an executive function was a blow to their political prestige. At first it seemed that the Social Security Act prohibited the administration of any of the assistance services by courts, because of the doctrine of separation of powers; but later the administration ruled that courts could administer aid to dependent children, provided a separate administrative agency was set up with the judge as chief executive officer who acted, not as a judicial officer, but as a member of the executive branch. Ohio is an example of this maneuvering. Hence, after 15 years the political problems which interfered with treating children as human beings of equal value with the aged and the blind have been in large measure solved: matching is on the same basis as that for the aged and blind, and the actual amounts matched now approach the per person amounts in old-age and blind assistance, with all states except Nevada receiving A.D.C. funds by 1948.<sup>1</sup>

<sup>1</sup> *Social Security Bulletin*, Dec., 1948, Chart 2, p. 8.

However, Congress has not yet learned that children have mothers or other guardians who must eat, sleep, and wear clothes.

That a practice of giving greater consideration to the aged and the permanently invalid than to the children is unscientific cannot be successfully challenged. Persons past the age of 65 years who need public assistance are with rare exceptions permanently removed from the labor market. They have ceased to produce and are being rewarded for past services to the community. Perhaps not over one fifth of the blind are self-supporting, and it is doubtful that a large percentage of them ever will be able to maintain themselves.<sup>1</sup> On the other hand, aside from humane considerations, it is to the interest of the nation to give every child a chance to develop his body, his mind, and his social capacities; the children are the most valuable capital of the nation. When a child is born, he has already cost his family and the community something. By the time he is 10 years of age he has cost his family and the community some thousands of dollars. Legislation to provide aid to dependent children has just two objectives: first, to enable the child to live and grow for his own sake as an individual human being, and, second, to enable the community which has an investment in him to profit from his labor. The percentage of the total population between 16 and 65 years of age—that is, the period for productive work, except as the school age is extended—is declining, whereas the percentage of the population over 65 years of age is increasing: in 1880 it was 3.4 per cent; in 1930 it was 5.4 per cent; and, if the same tendency to increase continues, in 1980 it will be about 11.3 per cent.<sup>2</sup> Consequently, if the average standard of living is to continue or improve, a decreasing percentage of the population which will be between 16 and 65 years of age must produce more per man-hour in order to maintain themselves and an increasing percentage of nonproductive aged persons. The requirements of long-range social policy make it a primary obligation of the voters to see that children are assured reasonable subsistence.

It is of national importance that the care of children be made a special category in social legislation. Whatever strategic advantage the special category has in isolating and dramatizing a needy group should be utilized to the fullest extent with respect to children. There should be in every state a pressure group representing a suffi-

<sup>1</sup> *Social Security in America, op. cit.*, p. 301.

<sup>2</sup> *Ibid.*, p. 141.

ciently large number of voters to see that the legislators give the children a square deal.

In the states which have A.D.C. legislation the qualifications for receiving aid are both personal and economic. Most states, following the Social Security Act, stop paying assistance when the child is 16 years of age, but an increasing number of them extend it to 17 or 18 years of age. Usually the mother or guardian must have lived in the state for at least a year, or the child must have been born in the state. The amount of property which the parent or guardian may own is limited in the statutes of only a few states, but some reference to income, such as insufficient income or inadequate means of support, is mentioned in the laws of more states. The average amount of assistance paid per case in April, 1947, was under \$50 in states which pay only up to the federal matching limit, but it was \$84 in 25 other states.<sup>1</sup>

**Almshouse Care.** The function of the almshouse has changed rapidly in the last few years. Even in 1911 Alexander Johnson could say, "A few years ago, almost everywhere, inmates of almshouses were, and in too many places still are, a very heterogeneous mass, representing almost every kind of human distress. Old veterans of labor worn out by many years of ill-requited toil, alongside of worn-out veterans of dissipation, the victims of their own vices; the crippled and the sick; the insane; the blind; deaf mutes; feeble-minded and epileptic; people with all kinds of chronic diseases; unmarried mothers with their babies; short-term prisoners; thieves, no longer capable of crime; worn-out prostitutes, etc.; and along with all these, little orphaned or deserted children, and a few people of better birth and breeding reduced to poverty in old age by some financial disaster, often through no fault of their own."<sup>2</sup> The implication of "a few years ago" is that the almshouse was in a noticeable state of change before 1911. Since that time it has become rare to find children in almshouses. With the development of the special categories of public assistance and the improvement of institutions for special groups many adults have been removed from these catchalls of poverty and misery. Forty-seven out of the fifty-one states and territories<sup>3</sup> still have almshouses.<sup>4</sup> There is a tendency, however, for

<sup>1</sup> *Annual Report*, Federal Security Agency, 1947, p. 111.

<sup>2</sup> Alexander Johnson, *The Almshouse*, p. 57. New York: Russell Sage Foundation, 1911.

<sup>3</sup> The number 51 includes the 48 states, Alaska, Hawaii, and the District of Columbia.

<sup>4</sup> Lowe, *op. cit.*, pp. 70-75.



the almshouses to become infirmaries to which may be sent persons who require institutional care. Hence this form of material relief is itself becoming a special category of assistance. Much improvement in the physical surroundings of the almshouses and in the quality of administrative personnel, however, is needed before the public will cease to look upon the inmates of these institutions as paupers in the traditional and degrading sense of the term. Nevertheless, this will eventually come about, because some needy persons require an institutional home which gives special consideration to the health of the client.

### THE "RIGHT" TO RELIEF

The concept of "right" has both ethical and legal aspects. In connection with relief we think of right in the sense of a claim which some individual has upon the community for assistance—we are not concerned with matters of personal morals. What is the nature of a claim of a needy person upon the community? Few would dispute the "right" of the needy person to expect to receive assistance from the organized community when he is in distress because of illness, old age, invalidity, childhood, or unemployment. It is an ancient belief and practice that the needy should be given aid. Miss Abbott gives numerous citations of this right from both British and American sources and quotes the following summary statement: "The care of the state for its dependent classes is considered by all enlightened people as a measure of its civilization, and the care of the poor is recognized as among the unquestioned objects of public duty."<sup>1</sup> This "unquestioned object of public duty" is mentioned in the early statutes of all the states. As a human being and a member of the community, the needy person is entitled to "expect" assistance. Members of the community individually recognize this ethical right of the needy person, and collectively they have recognized it in the statutes. But the "legal right" to relief is less clear.

**Aspects of Legal Right.** The question of a legal right to relief is involved in the definition of "need" and is affected by the attitude of the authorities responsible for giving relief. The poor laws of the states impose the responsibility of relieving "poor and indigent persons" upon township or county authorities, but the definition

<sup>1</sup> 21 *Ruling Case Law* 701. Quoted by Edith Abbott in "Is There a Legal Right to Relief?" in *Social Service Review*, Vol. XII, No. 2, p. 260.

of "poor and indigent" is left to the discretion of the relieving officers. "To what extent, under what circumstances, at what place and by what agencies," runs the statement in *Ruling Case Law*, "poor persons shall be relieved at the expense of the public are all purely legislative questions, and the courts cannot go further than the legislative will has been expressed."<sup>1</sup> But once the legislature has spoken, the application of its dicta is made by the relieving officers, and what they can do, after deciding what their duty is, is generally limited by the availability of appropriated funds.

The attitude of the relieving officer seems to be fundamental. In the case of *Wood v. Boone County* in 1913 the Supreme Court of Iowa took the position that, although a man had lost both feet through freezing because of the refusal of officials to give adequate care, he could not recover in a suit for damages. The ground for the opinion was that neither the county nor the official was liable for failure to perform a function.<sup>2</sup> An attempt to force a county board by a writ of mandamus to give relief in Nebraska failed, because, in the words of the Supreme Court, Douglas County had "exhausted all funds available as well as its credit."<sup>3</sup> A different kind of a case arose in Seattle, Washington, in 1936. The commissioners proposed to appropriate a sum of money beyond the debt limits for the county. Certain citizens attempted to enjoin the commissioners from issuing the necessary warrants. The case went to the Supreme Court, which upheld the power of the commissioners to carry out the law relating to relief on the ground that "it is the absolute duty of a County to provide for poor persons in need of assistance therein" and on the further ground that an emergency existed for the appropriation in question.<sup>4</sup> The significant difference between the Iowa and Nebraska cases and the Washington case is that the Iowa and Nebraska relieving officers were disinclined to give relief, whereas the Washington authorities were determined to give relief to those who in their judgment needed it. There is an Illinois case somewhat similar to the Washington case, in which the Superior Court in 1899 decided that owing to the emergency character of relief needs the relief authority was justified in providing relief, even though it was necessary to pledge the credit of the township.<sup>5</sup>

Summarizing her analysis of numerous cases bearing upon the

<sup>1</sup> 21 *Ruling Case Law* 711.

<sup>2</sup> Cited by Edith Abbott, *op. cit.*, p. 265. See also 21 *Ruling Case Law* 713.

<sup>3</sup> *Ibid.*, p. 272.

<sup>4</sup> *Ibid.*, p. 273.

<sup>5</sup> *Ibid.*, p. 266. See 178 Ill. 74.

question of the legal right to relief, Miss Abbott says, "The old poor laws undoubtedly gave such a right to all persons who were in need, and it is also clear that this right is mandatory. But even mandatory laws, as we have seen in the more modern attempts to provide old age pensions and mothers' aid, cannot be enforced if the proper authorities fail to provide the funds that are needed to carry them out."<sup>1</sup> It might be added that if the relieving officers are disinclined to give aid there is grave doubt that the "mandatory law" could be enforced, even though funds were available. The resort to mandamus is an uncertain remedy. If the poor laws were so written that the local officials could be cited for contempt or could be removed from office, following an action in the courts, the legal right to relief would be clear and enforceable. A revision of the poor laws so as to establish the legal right to relief would have to include as its most important provision a statutory definition of "need."

Attempts have been made to get around the discretionary power of the local authorities. If a private citizen gives emergency aid to a needy person when the local officials are not accessible, or gives aid to a needy person because of the negligence or refusal of the relief authority to act, can this third party recover the amount of his expenditures from the public treasury? There have been cases involving this question in the courts for more than a century. The right to recovery has been sustained in some important cases, but the decision of the court in these cases was based upon interpretation of existing statutes. "The cases generally hold that the existence of an emergency rendering relief necessary before proper steps can be taken to charge the public, or the refusal of relief by public officers, gives a person furnishing relief no right to compensation in the absence of statutory provision for such case."<sup>2</sup> It appears that giving relief by third parties in the hope of recovering from the public treasury has only limited usefulness. Perhaps it is fortunate that this is a fact; third parties, especially organized groups, might be in position to abuse this right if the principle were universally recognized by the courts. We are, therefore, brought back to the necessity for the definition of "need" in the poor laws and to the implementation of the mandatory obligation of relieving officials to supply relief.

**Administrative Appeal.** The Social Security Act has introduced the principle of an administrative appeal. Titles I, IV, and X stipulate that a state plan for public assistance, as a condition of receiving

<sup>1</sup> *Ibid.*, p. 275.

<sup>2</sup> 21 *Ruling Case Law* 712.

federal grants-in-aid, must provide for a "fair hearing" when assistance is denied. The machinery established for such hearings varies among the states. Where the county agency makes the initial determination, an appeal may be taken to the state agency, board, or commission. In those states which administer old-age assistance, blind assistance, or aid to dependent children directly, the appeal is from the initial determination of a member of the staff to the executive or the local board and then to the "state department" or an analogous agency. In the latter instance the appeal would seem to be to a less impartial agency than in a state where a county welfare department makes the initial determination, because the staff member in direct state administration is a part of the "state department" to which the appeal is made, and hence the "state department" has an incentive to uphold the action of its employee and perhaps has a bias which prevents an objective appraisal of the applicant's appeal. In four state-administered plans—those of Iowa, Michigan, Missouri, and Washington—provision is made for an appeal to a county court, and a similar provision is included in the Minnesota law, where the county welfare board makes the initial determination. The right of appeal to either an administrative tribunal or a court indicates a conception of the special categories of public assistance which sets them apart from general relief under the poor laws. The applicant has acquired the right to contest the decision of the local agency. If the appeals agency reverses the action of the county or a member of its staff, its decision presumably has the authority of a mandate and has back of it the means of enforcement.

The "legal right" to special public assistance has been clarified, not only by the provision of an appeals routine, but also by the fact that need and eligibility have been defined by statute. Indeed, without reasonably precise definition of need and eligibility it is difficult to see how a plan for a "fair hearing" would be any more protection to the applicant than existed under the poor laws. The ethical right to relief has been recognized for centuries, but to give this right legal status definite qualifications of the recipient have to be set up by statute. This seems to have been achieved to a measurable extent. The question of what an applicant could do, if he were otherwise eligible but was rejected because of lack of funds, remains open. If an executive, such as a mayor or a governor, avoids requesting the appropriation of funds, the basis of this

decision is political; not legal. If the legislative body fails to appropriate enough money or refuses to appropriate the amount requested by the administrative agency, the legal right to categorical assistance would probably be of no avail unless the agency has the power to "pledge the credit" of the county or state. There is always some limit to the issuance of bonds. When that point is reached, as in the Nebraska case, it would seem that the only alternative is political action. In the meantime the right to assistance could not be exercised.

### VOLUME OF MATERIAL RELIEF

Reasonably adequate statistics of material relief for the country have been available for only a few years. It was not until the Federal Emergency Relief Administration got under way in 1933 that data were collected for almost the entire country. Previous to that time a few states had collected relief statistics, and there were such series as those published by the United States Children's Bureau and by the Russell Sage Foundation. The latter were for certain selected cities which had agreed to report regularly. But now we are in a position to know approximately how much is being spent and how many persons are receiving general relief and categorical assistance throughout the country. These data, along with data on work relief and social insurance payments, are published monthly in the *Social Security Bulletin*.

TABLE 6

OBLIGATIONS INCURRED FOR PAYMENTS TO RECIPIENTS OF GENERAL RELIEF AND SPECIAL TYPES OF ASSISTANCE, IN 1938, 1943, AND 1948<sup>1</sup>

TYPE OF ASSISTANCE	1938	1943	1948
Total	\$942,591,000	\$928,512,000	\$1,733,133,000*
General	447,472,000	110,723,000	196,667,000
Old Age	390,728,000	651,914,000	1,131,626,000
A.D.C.	93,424,000	140,752,000	363,521,000
Blind	10,967,000	25,123,000	41,319,000

\* Digits rounded for 1943 and 1948. Amounts for December, 1948, estimated by the author.

Table 6 gives the obligations incurred in three different years—1938, 1943, and 1948—and the distribution by types of assistance.

<sup>1</sup> *Social Security Bulletin*, May, 1939, p. 51; March, 1944, p. 25; Jan., 1949, p. 34.

The amounts expended for general relief fluctuated with general business conditions. There has been a slow but rather steady increase in old-age assistance and aid to dependent children, but the amount expended for blind assistance had a more irregular course. General relief is affected not only by the changes in employment conditions but also by the volume of work relief and unemployment compensation payments. Work has long since ceased to be a factor, but unemployment compensation has increasing importance as a means of reducing the number of families who would otherwise have to seek general relief.

Another measure of the volume of material relief is the number of recipients. The total number of persons receiving aid in a year cannot be given in Table 7, because the "recipients" of general relief shown are cases instead of persons, whereas the other groups represent individuals.

TABLE 7

NUMBER OF RECIPIENTS OF GENERAL RELIEF AND OF SPECIAL TYPES OF ASSISTANCE  
IN MARCH, 1938, 1943, AND 1948<sup>1</sup>

TYPE OF ASSISTANCE	NUMBER OF RECIPIENTS		
	1938	1943	1948
General	1,994,000	417,000	402,000
Old Age	1,646,000	2,192,000	2,345,000
A.D.C.	610,000*	796,000	1,116,000
Blind	60,000	78,000	82,000

\* Children only.

Recipients of assistance have changed in the same direction and by about the proportionate number as expenditures. All case loads except general relief have been increasing through the years. However, when the old-age and survivors' insurance payments are well established, especially if the law is amended to increase rates and maxima, the number of recipients of old-age assistance and aid to dependent children should decline somewhat and the relative amounts paid should decline even more.

The number of the aged, the blind, and children receiving one of the special types of assistance, in proportion to the total population of each group (*i.e.*, the case rate), shows large differences among the states. These have been calculated for old-age assistance and aid to dependent children and are given in Table 8, page 188.

<sup>1</sup> *Social Security Bulletin*, March, 1940, p. 53; March, 1944, p. 25; Jan., 1949, p. 34.

TABLE 8

NUMBER OF RECIPIENTS OF OLD-AGE ASSISTANCE PER 1,000 PERSONS 65 OR OVER, AND THE NUMBER OF RECIPIENTS OF AID TO DEPENDENT CHILDREN PER 1,000 CHILDREN UNDER 18 YEARS OF AGE, RANKED BY 1947 PER-CAPITA INCOME, DESCENDING ORDER<sup>1</sup>

STATE AND INCOME RANK	OLD-AGE ASSISTANCE, 1948	AID TO DEPENDENT CHILDREN, 1948
Total	216	25
Nevada	217	2
New York	95	28
North Dakota	188	22
Connecticut	97	13
Delaware	54	12
California	238	13
Montana	235	30
District of Columbia	45	17
Illinois	180	23
New Jersey	66	10
Rhode Island	137	32
Colorado	426	33
Wyoming	238	12
Maryland	81	25
Massachusetts	207	20
Ohio	191	13
Michigan	215	27
Washington	346	28
Pennsylvania	108	33
South Dakota	232	22
Wisconsin	164	19
Kansas	199	21
Idaho	284	26
Indiana	156	18
Oregon	197	16
Nebraska	196	19
Utah	252	31
Missouri	302	45
Minnesota	218	19
Vermont	160	19
New Hampshire	125	19
Iowa	187	16
Maine	157	25
Texas	479	17
Arizona	298	29
Florida	327	53
Virginia	89	14
New Mexico	335	51
West Virginia	185	42
Oklahoma	581	72
Tennessee	254	36
Louisiana	404	40
North Carolina	233	18
Georgia	495	18
Kentucky	245	33
Alabama	430	25
South Carolina	380	20
Arkansas	410	33
Mississippi	333	17
Hawaii	111	23

<sup>1</sup> *Social Security Bulletin*, October, 1948, p. 12; November, 1948, p. 13.

TABLE 9

AMOUNT OF ASSISTANCE PAYMENTS PER CASE FOR AUGUST, 1948, BY STATES<sup>1</sup>

STATE	OLD-AGE ASSISTANCE	AID TO DEPENDENT CHILDREN	BLIND ASSISTANCE	GENERAL RELIEF
Total	\$39.37	\$66.83	\$41.21	\$43.48
Alabama	\$19.57	\$33.10	\$22.09	\$16.30
Alaska	44.45	32.09	.....	35.52
Arizona	48.41	48.80	57.16	29.57
Arkansas	18.19	34.99	21.06	12.29
California	57.21	110.50	72.54	47.55
Colorado	78.43	76.89	52.50	42.17
Connecticut	49.84	100.82	43.29	45.05
Delaware	26.66	73.03	31.32	33.91
District of Columbia	40.46	75.23	45.35	45.32
Florida	38.24	42.12	39.61	.....
Georgia	19.49	36.93	23.05	16.47
Hawaii	33.23	83.64	36.08	47.34
Idaho	44.00	87.88	47.59	30.62
Illinois	41.40	87.81	43.27	51.20
Indiana	33.24	51.51	35.28	24.99
Iowa	43.63	74.17	47.20	24.94
Kansas	39.60	70.96	42.08	42.38
Kentucky	17.61	37.46	18.62	17.08
Louisiana	47.34	55.08	41.12	42.42
Maine	33.69	77.83	33.91	37.54
Maryland	32.57	72.86	35.60	38.78
Massachusetts	54.77	101.46	55.97	44.11
Michigan	41.19	81.95	44.75	47.06
Minnesota	45.04	69.62	54.19	43.54
Mississippi	15.70	26.31	23.75	10.75
Missouri	37.76	46.22	35.00	35.56
Montana	39.88	70.79	41.72	27.22
Nebraska	40.50	78.11	46.38	28.59
Nevada	48.85	40.88	.....	24.04
New Hampshire	40.14	82.27	42.91	33.11
New Jersey	43.25	81.74	45.39	53.31
New Mexico	31.70	46.75	34.76	21.05
New York	49.45	99.93	55.19	64.54
North Carolina	18.09	35.67	29.14	14.80
North Dakota	41.07	87.34	42.60	31.21
Ohio	42.18	66.14	39.89	44.10
Oklahoma	44.96	44.38	45.67	.....
Oregon	44.22	99.02	50.98	51.01
Pennsylvania	36.88	82.67	39.98	43.17
Rhode Island	42.44	77.40	46.43	46.87
South Carolina	19.23	27.12	20.80	15.08
South Dakota	33.80	46.55	31.06	22.52
Tennessee	26.64	48.54	34.70	13.09
Texas	31.50	41.71	34.94	.....
Utah	50.68	108.03	55.53	56.14
Vermont	34.38	48.65	38.45	.....
Virginia	18.78	42.05	24.61	21.81
Washington	57.24	99.04	69.36	60.70
West Virginia	20.50	40.68	23.68	14.80
Wisconsin	37.89	85.98	40.29	38.63
Wyoming	48.87	86.39	45.92	45.58

<sup>1</sup> *Social Security Bulletin*, October, 1948, pp. 30-32.



Per capita income does not seem to be closely correlated with the case rates, though the southern states whose per capita incomes are relatively low tend to have high case rates for old-age assistance and, to a less degree, high rates for aid to dependent children.

The variation of standards of assistance among the states is further suggested by the average amount paid per recipient of assistance. Table 9, page 189, presents these data for August, 1948.

The aged and the blind are the privileged groups in public assistance among the states. Each case for aid to dependent children has an average of 3.6 persons who must live on the monthly average amounts shown in Table 9. The average number of persons in a general relief case is lower than the number in an aid to dependent children case, but the people in these cases are also treated by the legislators and the administrators as second-class clients. These differences represent political issues: children do not vote, and probably well over half of the persons in combined A.D.C. and general relief cases are children. This short-sighted practice should be corrected, because it is antisocial.

### QUESTIONS

1. Define the term "pauper."
2. What are the principal conditions which a poor person must satisfy in order to receive general direct relief?
3. What justification was there to set forth certain conditions in the Social Security Act which all states must satisfy in order to receive federal grants-in-aid for old-age assistance?
4. What provision is found in the public assistance laws instead of a flat maximum amount? How could such a provision be applied without bankrupting the state treasury?
5. How should eligibility for blind assistance be determined?
6. How do you explain the tendency of legislatures and Congress to provide less adequately for children than they do for the aged and the blind?
7. Why is it of particular importance to provide well for dependent children?
8. What is meant by the "right" to relief?
9. How does an administrative appeal differ from an appeal to a court of law?
10. How do you explain the differing average amounts of assistance for aged, blind, and children in the same state?

## CHAPTER IX

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### MEDICAL CARE

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"Poverty causes ill health; ill health causes poverty." In these words the late Dr. Rubinow was wont to state what he believed to be one of the few general rules of causal relationship in social life. Since the truth of this "rule" is recognized almost universally, it is surprising to find that medical care for the masses of the population has been so little organized. Here we find *laissez faire*, not only in theory but in practice, the chief organizing principle with reference to the individual sick human being. Sickness is unpredictable in the life of an individual. When records of sickness experience in the lives of a great many persons are available, the probable number of days of illness per person or the probable number of persons in a million who will suffer an incapacitating illness in a year can be estimated by ordinary statistical methods. But if the individual in the low-income groups has to find medical care where and if he can, it is no practical help to him to know that he or some member of his family will probably be ill once or more during the year. Any illness which requires a physician or hospital care or both involves an expense which few wage earners and small-salaried people can bear. If they undertake to save after an expensive illness to pay the physician and the hospital even a reduced fee, they are taking money which ought to be used, instead, for a proper supply of food, shelter, and clothing in order to assure physical health and hence to prevent future illness.

It is only recently that we have had sufficient information to determine with reasonable certainty the inadequacy of medical care in the whole country. This was obtained in the National Health Survey of 1935-1936, as described in the following pages and in the more recent National Health Survey.<sup>1</sup>

<sup>1</sup> *The Nation's Health, a Ten-Year Program*, Report to the President by Oscar R. Ewing, Administrator, Federal Security Agency, September 2, 1948.

## INADEQUACY OF MEDICAL CARE

Many small studies have been made of the inadequacy of medical care for persons of small income or on relief, but it has rarely been possible to measure the total need in a state or the nation. Margaret C. Klem undertook a study of this kind for the California State Relief Administration. In the areas studied an attempt was made to obtain a representative sample of families at all economic levels. The sample consisted of 18,527 persons in 5,096 families. About 14 per cent of the families were on relief, and about 4 per cent were receiving incomes of \$3,000 per year or more. After classifying the families by economic status, a tabulation was made to show the incidence of illness and the amount of medical care received. Persons on relief or earning less than \$1,200 per year consistently had more illness and received less care than those with higher incomes. Between 1929 and 1933 only 55 per cent of the persons in relief families had received dental care, while of the persons in families earning between \$1,200 and \$3,000 per year 75 per cent had received dental treatment in the same period. This study of the incidence of illness and the amount of medical care is very limited in scope.<sup>1</sup> Since this study was completed a more extensive study has been made under the auspices of the United States Public Health Service.

The federal study, known as the National Health Survey, was planned so that it would represent fairly the entire country. A house-to-house canvass was made of some 800,000 families, including 2,800,000 individuals, who lived in 83 cities and 23 rural areas. It is well known that the amount of illness among small children and old people is greater than among the intermediate age groups. In order to hold constant the age factor the data were tabulated by four age groups, and the income status of each group was shown. Table 10 gives a summary of the results of the survey.

The amount of illness in relief families is markedly higher than in families with incomes. Children under 15 years of age seem to be healthier in families where the income is less than \$2,000 per year, but in all other groups the incidence of illness declines almost steadily with increasing income—the chief exception being persons over 65 years of age in families with incomes over \$5,000 per year. No ex-

<sup>1</sup> Margaret C. Klem, *Medical Care and Costs in California Families in Relation to Economic Status*, 1935.

planation is given of the anomalous rise in the illness rate among children as income increases. When rates are broken down for specific diseases by age groups, it is noticed that children of the

TABLE 10

DAYS OF DISABILITY (PER PERSON PER YEAR) FROM DISEASES, ACCIDENTS, AND IMPAIRMENTS, FOR PERSONS OF VARIOUS AGES, ACCORDING TO ECONOMIC STATUS <sup>1</sup>

ANNUAL FAMILY INCOME PER YEAR, OR RELIEF STATUS	DAYS OF DISABILITY PER PERSON PER YEAR FOR PERSONS AGED:			
	Under 15 Years	15-24 Years	25-64 Years	65 Years and Over
Relief	7.1	8.0	20.7	58.0
Nonrelief:				
Under \$1,000	5.4	5.7	12.3	36.9
\$1,000-\$1,500	5.4	4.5	7.7	30.4
1,500- 2,000	5.3	4.0	6.6	26.4
2,000- 3,000	5.6	3.5	6.4	26.8
3,000- 5,000	5.8	3.3	6.2	22.4
Over 5,000	6.2	3.6	5.9	24.4
Total:				
Relief and All Incomes	5.8	5.1	9.9	35.1

higher-income groups show a much higher rate of respiratory diseases. Old persons in the upper-income groups show a high rate for digestive diseases and accidents.<sup>2</sup>

The incidence of certain specific diseases and their severity is presented in Table 11. The rates for the upper-income group are taken as 100, and the rates for other income groups are presented as ratios to the rate for this group. For every disease the incidence is higher for the relief group than it is for any of the other groups. While the incidence of illness in the group earning less than \$1,000 per year is lower than that for the relief families, it is higher for every diagnosis than it is for any of the higher-income groups. That illness is associated with low income to an extraordinary degree cannot be denied.

Disabling illnesses which lasted one week or more were tabulated by the National Health Survey. The rate per 1,000 persons of all income groups was 172 per year among 2,308,588 persons for whom records were obtained. The rate for persons in relief families was

<sup>1</sup> "Disability from Specific Causes in Relation to Economic Status," *National Health Survey, 1935-1936, Preliminary Reports, Sickness and Medical Care Series*, Bul. 9, U. S. Public Health Service, 1938, p. 2.

<sup>2</sup> *Op. cit.* (*National Health Survey*), pp. 7, 8.

234, for self-supporting persons with family income of less than \$1,000 it was 174, and for persons in families with incomes of over \$3,000 it was 149. The frequency of illness for both acute and

TABLE 11

RATIO OF ANNUAL PER CAPITA VOLUME OF DISABILITY FOR LOW-INCOME GROUPS TO THAT IN THE HIGHEST-INCOME GROUP, ACCORDING TO SPECIFIED DIAGNOSIS CLASSIFICATIONS<sup>1</sup>

DIAGNOSIS	INCOME STATUS OF FAMILY			
	Relief	Non-Relief		
		Under \$1,000 per Year	\$1,000-\$1,500 per Year	\$5,000 and Over
Tuberculosis	875	388	250	100
Orthopedic Impairments	420	283	175	100
Rheumatism	369	213	138	100
Digestive Diseases	340	180	114	100
Nervous Diseases	287	204	135	100
Degenerative Diseases	268	156	109	100
<i>All Diagnoses</i>	<i>266</i>	<i>166</i>	<i>121</i>	<i>100</i>
Diagnoses not Elsewhere				
Grouped	261	160	127	100
Accidents	221	173	129	100
Respiratory Diseases	189	121	91	100
Infectious Diseases	124	93	93	100

chronic cases revealed the same pattern. Severity rates are similar: relief families have the highest severity rates, and families with incomes above \$3,000 have the lowest rates.<sup>2</sup>

Since relief and low-income families have the highest frequency and severity rates of illness, it would be reasonable to expect that they would receive a proportionately large amount of the medical attention, but the National Health Survey showed conclusively that they receive less medical attention than their numbers warrant. Table 12 indicates comparative amounts of medical care received. The amount of medical care received increases as economic status is improved. The only exception to this statement is the fact that self-supporting families with incomes under \$1,000 received less hospital care than families on relief. This table, however, indicates only whether a physician attended the case, whether a private nurse was in attendance, and whether the case was hospitalized; it does not

<sup>1</sup> *Op. cit.*, p. 9.

<sup>2</sup> *National Health Survey*, Bul. No. 2, J-1310, pp. 2, 4.

indicate the number of visits by the physician, the days of nursing attendance, or the days in the hospital. Consequently, it does not provide a measure of total medical care received, but merely shows that medical care was given in a certain percentage of disabling illnesses. It is not unreasonable to suspect that if a measure of total

TABLE 12

PHYSICIANS' CARE, NURSING CARE, AND HOSPITAL CARE RECEIVED FOR DISABLING ILLNESS, ACCORDING TO ECONOMIC STATUS<sup>1</sup>

ECONOMIC STATUS OF FAMILY	DISABLING ILLNESSES PER 1,000 PERSONS PER YEAR	PERCENTAGE OF CASES ATTENDED BY A PHYSICIAN	PERCENTAGE OF ILLNESSES ATTENDED BY PRIVATE NURSE	PERCENTAGE OF ILLNESSES HOSPITALIZED
Relief	234	70	1.1	26.8
Nonrelief:				
Under \$1,000	174	72	2.5	23.9
\$1,000-\$2,000	155	76	4.0	28.0
2,000- 3,000	150	80	6.6	29.2
3,000 and Over	149	83	11.6	30.4
Total:				
Relief and All Incomes	172	74	3.6	27.1

medical care were available the situation would be even less favorable to the low-income and relief groups. Some evidence on this point was developed in the course of Miss Klem's study in California. She found that relief clients received the care of a physician in 59.1 per cent of disabling illnesses, whereas in families with incomes above \$3,000 a physician attended 84.1 per cent of the cases. The ratio of 84.1 to 59.1 is as 142.3 to 100. Miss Klem found that a tabulation of the number of physicians' calls showed that clients received 2,842 physicians' calls per 1,000 disabling illnesses, while in families with incomes of \$3,000 or more there were 5,244 physicians' calls per 1,000 disabling illnesses. The ratio of 5,244 to 2,842 is as 184.5 to 100. Thus, clients receive fewer physicians' calls, in spite of the fact that the average severity of illness of a client is greater than it is for other persons. The great disparity here would be reduced somewhat if we knew the number of calls made to clinics; undoubtedly clients make greater use of clinics than do self-supporting persons.<sup>2</sup>

<sup>1</sup> *Op. cit.*, pp. 5, 6. This table compiled from Tables 4-6.

<sup>2</sup> Margaret C. Klem, *op. cit.*, computations based upon a table on page 22.

## MEDICAL CARE FOR RELIEF CLIENTS

We have seen that persons on relief do not receive as much medical care in proportion to the amount of illness as do persons who are self-supporting. The National Health Survey reported the amount of medical care which families said they had received; that included services for which they paid, and free services which were given by the physician as personal philanthropy or which were given by the physician on proper authorization by relief officers. Physicians give a vast amount of service for which they are not paid and of which there is no record outside the files of the individual physician. This is unorganized medical care, a type of care which as a matter of professional ethics the physician has given from time immemorial. Relief clients receive some free service from the private physician, but after the establishment of the Federal Emergency Relief Administration in 1933 the provision of medical care to clients became more and more an admitted public obligation. During the last few years, then, medical relief has been in process of organization on a larger scale than previously known. The services provided have varied, but either in the same community or in different communities they have included the services of a general practitioner, services of specialists, nursing service, clinic consultation, and hospitalization. Some medical service is authorized under the poor laws and some under the new public assistance laws. When general home relief is organized on a state-wide basis with legal authority to establish standards, we may regard it as public assistance, because it is likely to depart considerably from medical care under the traditional poor laws.

**General Practitioner.** All except a few states make provision for medical care outside the institutions. In general this means the services of a general practitioner who sees the patient in his office or, in the case of more serious illness, at the home of the patient. Ordinarily, the relief client does not see a specialist unless he is referred by the general practitioner. Furthermore, it is probable that the specialist enters the situation after the patient has entered a hospital. Louisiana has established a state-wide system of public hospitals for clients and persons of small income and gives the kind of care provided by a general practitioner in this way.<sup>1</sup>

The "right" to receive the care of a physician has the same limi-

<sup>1</sup> Robert C. Lowe, *State Public Welfare Legislation*, 1939. Data from pp. 70-75.

tations as the right to relief in general. The relief officials have the power to authorize or to refuse medical care where it is to be paid for out of public funds, unless the law is so phrased that a physician may give emergency medical aid upon the theory of an implied contract. Miss Abbott cites two Wisconsin cases in which the physician was allowed by the courts to recover his expense from the town of the relief client's residence.<sup>1</sup> But if no funds are available and the credit of the local government is exhausted, as in the Nebraska case previously cited, it is doubtful that the physician could recover. Under the poor laws the physician is assured of payment for his services only if he has been told to give treatment by the proper authority. The physician may ask authorization from the relief authorities when he has been requested to attend a client. If permission is given, it is often for that visit only. When the physician reports the diagnosis, the relief authority may allow him to proceed with whatever treatment seems necessary or it may require a report on the condition of the patient after each visit of the physician. Under the Federal Emergency Relief Administration it was necessary for the state agency to promulgate a uniform state policy for medical care in order to use federal funds for this purpose. Standard schedules of fees for medical, dental, and nursing care were required, and all properly licensed practitioners could participate. Fees for services could not be collected unless authorization was obtained in advance from the relief authorities. In emergencies authorization could be given by telephone, provided that a written order followed immediately.<sup>2</sup>

Since the liquidation of the F.E.R.A., the organization to provide medical care has in many localities, especially where township trustees or supervisors administer relief, reverted to poor-law practice, but in some communities special plans have been devised. The Chicago Relief Administration used the panel system. The client might select any physician whose name appeared on the panel. A similar scheme is in operation in Pierce County, Washington. Some city and county relief authorities employ physicians on salary. The Central Medical Bureau of San Francisco is one of the best examples of this type of organization. The bureau is maintained jointly by the State Relief Administration and the City-County Department

<sup>1</sup> *Op. cit.*, pp. 270, 271. *Patrick v. Town of Baldwin*, 109 Wis. 342 (1901), and *Coffeen v. Town of Preble*, 142 Wis. 183 (1910).

<sup>2</sup> Doris Carothers, *Chronology of the Federal Emergency Relief Administration*, Research Monograph VI, 1937, pp. 17, 18.



of Public Welfare. Clients of the department are given routine medical examinations by the bureau and receive most of their general medical care from staff physicians. Somewhat similar plans are in operation in Cleveland, Ohio, and Rochester, New York, although clients are not given routine examinations in order to discover pathological conditions.

Perhaps the most satisfactory plan from the viewpoint of the client was an experimental scheme adopted first in Monroe County, Michigan, where authorization by the relief administration was suspended. The client may consult his own physician without asking the approval of the relief office, and the physician has the right to determine the amount and kind of treatment required. An advisory committee of three physicians from the County Medical Society has been appointed for the purpose of reviewing all invoices submitted by physicians, determining the need for medical care, and hearing complaints.<sup>1</sup>

The following table shows the prevalence of illness in public assistance cases. More than half of all persons receiving public assistance in these towns and cities had a health problem of some kind at the time of the survey.

TABLE 13

CASES IN SURVEY SAMPLES STUDIED IN 18 MASSACHUSETTS TOWNS AND CITIES, SHOWING THE PROPORTION OF PERSONS WITH HEALTH PROBLEMS, MARCH, 1948<sup>2</sup>

TYPE OF ASSISTANCE	NUMBER OF PERSONS		
	In Sample	Number Sick	Per Cent Sick
Total	1,103	595	53.9
Old-Age Assistance	415	305	73.5
Aid to Dependent Children	324	126	38.9
General Relief	364	164	45.1

**Nursing Service.** Nursing service for clients and persons of low income, often referred to as public health nursing, may be provided by a health agency, a department of public welfare, or a board of education. The public during the last decade became familiar with nursing service through the work of the privately supported visiting

<sup>1</sup> Facts in this and the preceding paragraph were taken mainly from "Physicians' Service," *Public Welfare News*, March, 1938, pp. 5, 6.

<sup>2</sup> *Report on Public Welfare Services*, Greater Boston Community Survey, 261 Franklin St., Boston 10, derived from Tables 11-13.

nurses' associations or public health nursing associations. Obviously in a hospital the free patient receives the general nursing services available in the wards, but the public health nurse goes into the homes of patients to give health service and to give health education. The public school nurse, who belongs to this general group of nurses, visits the homes of sick children, gives first aid at the school, and dispenses a variety of health information among the children. We are accustomed to think of public health work as primarily preventive. That is the correct conception of it, but the understanding of what constitutes preventive work has broadened. Increasingly it is recognized that nursing service given in the home to a member of the family may be preventive in either of two respects: first, it may prevent more serious illness and expedite recovery of the patient, and, second, it may prevent illness of other members of the family.

The number of public health nurses in proportion to population was estimated for the Greater Boston Community Survey to be one such nurse for 2,000 to 2,500 population.<sup>1</sup> On this basis it can be seen that the country has need of between 60,000 and 75,000 public health nurses.

**Hospitalization.** Free hospital care is given by many private as well as public hospitals, but the amount of philanthropic care of the sick is probably exaggerated in the minds of most people. A joint study was made in 1936 by the United States Public Health Service and the United States Bureau of the Census. This study showed that of an estimated income of nearly three fourths of a billion dollars accruing to hospitals in this country, about 47 per cent came from government sources, 43 per cent from payments by patients, and 11 per cent from endowments and current gifts.<sup>2</sup> Public medical care in general hospitals is provided by federal, state, county, and city governmental units. Apparently it is the rule rather than the exception for clients and persons of low income to obtain hospital care under governmental auspices.

The right of a poor person to receive hospital care is subject to about the same limitations as the right to medical care in general. If the facilities are available to the patient, then he may have hos-

<sup>1</sup> P. 37 of the report, Feb., 1949. Estimate by Alberta Wilson, Professor of Public Health Nursing, University of Minnesota.

<sup>2</sup> "Medical Care," by Michael M. Davis and Joseph Hirsh, in *Social Work Year Book*, 1939, p. 240.

pital care at the expense of the public treasury if he can satisfy the means test as applied by the admitting office of the hospital, or he may receive it on order of relief officials who can authorize hospital care at the expense of the relief funds.

The provision of hospital care for public assistance clients presents some special difficulties. First, recipients of public assistance are sick more often, and they stay in hospitals longer, than the rest of the population. The second important problem in hospital care for public assistance clients is that raised by costs.

The following table from the Greater Boston Community Survey indicates the bed days per 100 cases for one year, and the average loss per bed day which the hospital sustained for all bed days of public assistance patients.

TABLE 14  
ESTIMATE OF HOSPITAL DAYS PER YEAR PER 100 PUBLIC ASSISTANCE CASES, AND OF THE NET LOSS TO THE HOSPITAL PER BED DAY (PUBLIC AND VOLUNTARY HOSPITALS)<sup>1</sup>

TYPE OF ASSISTANCE	BED DAYS PER 100 CASES	MEAN LOSS PER BED DAY
Old-Age Assistance	270	\$4.07
Aid to Dependent Children	211	4.69
General Relief	640	4.95

If the public assistance client is going to receive the best hospital care available, realistic planning with hospitals is necessary, and that includes facing the real, not the nominal, costs of good hospital care.

The amount of hospital facilities available and needed is a matter of concern to public welfare agencies. A recent report of a survey by the Commission on Hospital Care gives the information shown in Table 15. The Commission estimated that 195,473 new beds were needed in general hospitals and 45,000 in tuberculosis hospitals. Some additional beds were believed needed for mental and other chronic patients, but no figures were given, pending attention to reorganization of these services.<sup>2</sup>

Private hospital insurance plans have had a phenomenal growth in this country since their humble beginning in 1929 at Baylor Univer-

<sup>1</sup> *Ibid.*, p. 41.

<sup>2</sup> *Ibid.*, pp. 405-418.

sity in Dallas. The principal system of this kind is known as the Blue Cross. By 1949 the number of persons covered had reached over 30,000,000. This is an important fact for public welfare administration: many people who go to a hospital would otherwise

TABLE 15  
DISTRIBUTION OF HOSPITALS AND BEDS BY TYPE OF  
SERVICE, 1945<sup>1</sup>

TYPE OF HOSPITAL	NUMBER OF HOSPITALS	NUMBER OF BEDS
All Hospitals	6,612	1,749,785
General	4,472	451,705
Mental	519	583,206
Tuberculosis	431	75,256
Chronic and Convalescent	315	51,861
Federal Civilian	245	116,046
Other Federal*	466	431,286
Other Nonfederal*	164	40,425

\* These hospitals are listed by the American Medical Association but not by the American Hospital Association, from which all other data were obtained.

have to get their bills paid by a public welfare agency or enter a public hospital on a means test and have their bills paid by appropriation of some legislative body. Membership in the Blue Cross is probably saving public welfare departments many millions of dollars annually.

#### MEDICAL CARE FOR SPECIAL GROUPS

**Care of Mothers and Children.** The most universal problem in which it would seem logical for government to be interested is medical care for mothers, babies, and other children, but in fact it has not worked out that way. Of course, this type of service involves the segregation of age and sex groups for special attention, whereas the groups who have received attention longest have been those afflicted with the same disease, such as tuberculosis. In large cities the boards of health have for a long time been interested in special services for mothers and babies: prenatal clinics, baby health stations, milk stations, systematic circulation of literature on infant

<sup>1</sup> *Hospital Care in the United States*, New York: The Commonwealth Fund, 1947. Data from pp. 306 and 311.

care. Through the home demonstration agents in the counties the United States Department of Agriculture has disseminated information on prenatal care and the care of babies, and the United States Public Health Service has carried on research on maternal and infancy diseases and has promoted the establishment of local health services for mothers and children. Perhaps the United States Children's Bureau has done more to educate the public in the need for special care of mothers and children than any other public agency. In the early years of the bureau its work in the interest of health was confined largely to making studies of special health problems of mothers and children, preparing and distributing health literature, and consulting with state and local units of government regarding the improvement of such services.

The new services under the Social Security Act and the additional appropriations for similar services which were recommended to Congress by President Roosevelt represent long steps toward a national health program for mothers and children. Unless Congress and the state legislatures provide more substantial sums of money for aid to dependent children to assure standards of living commensurate with decency and health, they will have to appropriate immensely larger sums for health services because of undernourishment and malnutrition. Sufficient food of the right kinds prevents much illness.

**Care of the Tuberculous.** The care of persons suffering from tuberculosis is intended both to cure the sick person and to prevent the communication of the disease to other persons. In addition to the need of curing the sick patient, the most important motivating force back of the movement to provide care for the tuberculous has been the desire to control communication of the tubercle bacillus. "Case care . . . is dependent upon case finding, which in turn demands energetic search for cases through clinics, public health nurses (associations), health departments, and other social machinery."<sup>1</sup> Where a good medical service is maintained by the local school system, tests of school children are often made when there is evidence of loss of weight or other vague symptoms of ill health. The case-finding program instituted by the United States Public Health Service in 1948 represents an all-out effort to identify every case of tuberculosis in the country and eventually to eliminate this disease as a serious problem in the nation.

<sup>1</sup> H. E. Kleinschmidt, "Tuberculosis," in the *Social Work Year Book*, 1939, p. 446.

**Venereal Diseases.** Another type of disease which is now receiving widespread public attention is venereal disease, the most common kinds of which are syphilis and gonorrhea. Based upon large sample studies of the general population and of army and navy recruits, it is usually estimated that about 5 per cent of the population are infected with syphilis and about 10 per cent show gonorrheal infections. The ratio of infected males to females is about 5 to 3, and of infected whites to Negroes about 1 to 6. Some 60,000 babies each year are born with congenital syphilis. The almost universal practice of routinely putting silver nitrate solution in the eyes of newly born babies has resulted in a greatly reduced number of cases of gonorrheal infection of infants and small children. The discovery of penicillin has added a new and very effective means of treating active cases of syphilis.

The United States Public Health Service, through its Division of Venereal Diseases, has been the most important governmental agency concerned with venereal diseases. For a number of years it has co-operated with state health departments to develop informational and control activities and with local health departments in the treatment of cases. "During the fiscal year ending June 30, 1938, 480,140 cases of syphilis and 198,439 of gonorrhea were reported to the Public Health Service by state health departments, together representing an increase of over 30 per cent in cases reported, over the previous year, further evidence of the improvement in efforts to find and treat these diseases."<sup>1</sup>

The discovery of infected persons was greatly facilitated after Selective Service for World War II came into operation. Out of the first 15,000,000 men registered and examined, evidence of syphilis was found in 720,000, or approximately 5 per cent of the young men subject to the draft. From 1939 to 1944 the federal, state and local budgets for venereal disease rose from \$6,730,000 to \$20,000,000.<sup>2</sup>

The most important single step toward control of venereal diseases through education, case-finding and treatment was probably taken when the Venereal Disease Control Act was passed by Congress and signed by the President on May 24, 1938. This Act resulted in the appropriation of \$3,000,000 for the fiscal year 1939, \$5,000,000 for the second year, and \$7,000,000 for the following year. States

<sup>1</sup> Mary S. Edwards, "Social Hygiene," in *Social Work Year Book*, 1939, p. 419.

<sup>2</sup> J. R. Heller, Jr., "Social Hygiene," in *Social Work Year Book*, 1945, p. 432.

and local governments have given relatively less attention to this major problem of the nation.

### A NATIONAL HEALTH PROGRAM

The average citizen is somewhat startled to hear talk of a "national health program." It suggests the vague connotations of "socialized medicine," a term which is more confusing than illuminating. A national health program may involve prepayment of medical care costs, that is, health insurance, or it may include only a government program of subsidizing medical costs through provision of funds for hospitals and clinics, the payment for medical services to relief clients, public health services, medical education, and medical research. All of these services or some combination of them, when contemplated for the nation as a whole, often gets called a program because the services are involved in conscious efforts to organize medical care more adequately.<sup>1</sup> Much non-governmental organization goes on in all communities, and out of these voluntary experiments and promotional campaigns there ultimately develop the forms of organization under various levels of government.

Health was one of the subjects considered by the President's Committee on Economic Security, upon the basis of whose work the Social Security Act was drafted. But so much opposition from certain elements in the medical profession developed at that time that health insurance or other program for the treatment of illness was postponed. In 1936, however, the development of public opinion had been such that the President felt the time had arrived for beginning to make plans for a national health program. Consequently, the Interdepartmental Committee to Co-ordinate Health and Welfare was appointed, and it in turn created a Technical Committee on Medical Care which made the study for the Interdepartmental Committee and prepared a report which was accepted as the basis of action in 1938. In a special message to Congress in 1939, the President recommended a federal-state co-operative health program. This bill was never passed, but similar bills have been introduced frequently since the President's recommendation in 1939. The so-called Taft Bill, S. 1581 in the Eighty-first Congress, embodies the same principles but with some differences in detail. All such bills

<sup>1</sup> For a historical, as well as a contemporary, analysis of organization for medical care, see Michael M. Davis, *America Organizes Medicine*, New York: Harper & Brothers, 1947.

have been intended to assist the states in financing health facilities and programs, but they have not been intended to give the federal government any administrative responsibility beyond the supervision of the distribution of funds.

However, another type of "national health program" has been represented by the successive Wagner-Murray-Dingle bills and by the Ewing report to the President in 1948. Beginning in 1943, one or another of these comprehensive bills has been continuously before Congress. In all of them medical care insurance has been the major object.

In contrast to previous Wagner-Murray-Dingle bills, the present one provides for state administration of the health insurance program. The federal government would intervene to provide service to the consumer only if the state failed to develop a plan which could be approved under the federal law. Within the states a large measure of local administration would be required. Furthermore, some free choice of specialists, as well as of general practitioners, would be allowed the patient. The federal plan is moving away from federal bureaucracy in medical care and in the direction of state and local administration. This is undoubtedly desirable: in other nations which have had health insurance longest, there has everywhere been major local responsibility for administering the services, except in the new British scheme.

The country is unquestionably "organizing medicine" more consciously in the present decade than in any previous one. It would seem that the point of emphasis in any "national health program" at the present time should be on the training of personnel to assure competent administration and medical care to a program which might well be staggered over a period of 15 years to give the medical, nursing, dental, social work, and other schools an opportunity to provide adequate qualified personnel.<sup>1</sup>

<sup>1</sup> For evidence in support of a staggered plan for the "national health program," see *The Nation's Health: A Ten-Year Program*, Report to the President by Oscar R. Ewing, Federal Security Administrator, September 2, 1948. The author of the report does not, be it noted, indicate that his evidence points to a staggered plan.



*QUESTIONS*

1. What evidence is there for believing that persons with small incomes or on relief receive inadequate medical care?
2. Why is health a concern of the government?
3. How is the amount of medical care received related to income?
4. Below what maximum income would you say that people ought to be entitled to free medical care? Or would you prefer to have a health insurance system to assume the major part of this responsibility?
5. What practical difficulties arise even though the law explicitly gives the poor person the right to medical care?
6. Could all free medical care be provided through hospitals and out-patient clinics?
7. Why has it seemed particularly necessary for government to provide for the care of tuberculous patients?
8. How do you think the National Health Program could improve medical care in your community?
9. Examine the current Congressional bill or bills for health insurance and consider what might be the effect of immediately beginning such a program with the present personnel available.

## CHAPTER X

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### CARE OF MENTAL PATIENTS

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Mental patients may be considered as including the insane, the epileptic, and persons with mild personality difficulties, but the student of public welfare is concerned mainly with the first two groups. The insane and the epileptic require hospitalization or intensive treatment at clinics. Before a patient enters a hospital for the insane or an institution for epilepsy, there are likely to be signs that he is in danger of injuring himself or someone else. In the early stages of the development of psychotic or epileptic behavior the afflicted person is considered "queer" or perhaps inconsiderate of others. Increasingly such persons are taken to a private psychiatrist or to a psychiatric clinic for examination and possibly treatment, but the public is rarely concerned with such cases until the peculiarities of personality are such as to unfit the person for holding a job and therefore result in his having to seek relief. In this event he is given relief but not often is he given treatment for the cause of his destitution. His maladjustment may never develop to the state at which it would be regarded legally as insanity or committable epilepsy. The public welfare worker may be interested in providing the facilities for treating mild personality difficulties<sup>1</sup> and for diagnosing mental disorders at an early stage, but because of our existing organization for the care of mental patients he must be primarily interested in the institutions and agencies established for the care of those who are legally committable or who have sought voluntary admission to these institutions. Hence, in this chapter attention is directed toward the nature and magnitude of the problem of the care of the insane and epileptic and toward the organization and administration of institutions and agencies for the care of mental patients.

<sup>1</sup> When case workers encounter persons with mild neurotic or psychotic symptoms they can usually do little to help until relatives recognize the need for treatment.

## POPULATION OF HOSPITALS

Efforts were made at the time of the censuses from 1850 to 1890 to count the number of insane persons in the population. Prior to 1880 the census enumerator asked his informants whether or not there were insane or epileptic persons in the household—and this information was sometimes checked with local physicians. Little reliance can be placed on the returns of these early censuses, because the question was inquisitorial and must have elicited evasive or false replies in many cases. Furthermore, the citizen answering the enumerator's inquiry was not a qualified diagnostician. In 1880 the question was dropped from the population schedule of the census, and an attempt was made to count the number of persons in institutions, supplemented by a questionnaire which was mailed to all physicians in the country. The same method was used in 1890. No census of mental patients was made in 1900, but in 1904, after the creation of the permanent Bureau of Census, a special census of institutions was made. The schedule was the best that had ever been used. With variation in questions asked, this method of collecting information regarding mental patients has been used to the present time. The Bureau of the Census has for a number of years made an annual count of mental patients.

The tables and statistics of mental patients in this chapter are based mostly on the census reports for the year 1944.<sup>1</sup> As Table 16 shows, the number of private institutions in the country is very large, but the private hospitals for the insane had only 2.4 per cent of the patients, and the private institutions for epileptics had only 3.3 per cent of the patients. The small proportion of both psychiatric and epileptic patients who were in private institutions shows the extent to which the care of these types of patients is recognized as a public responsibility. The patient in a mental hospital is there because of his diagnosis, not because of his economic status. Attention should be called to the number of patients in veterans' hospitals because this number will increase both absolutely and relatively in the future. In 1936 the proportion of all psychiatric patients in veterans' hospitals was 4.7 per cent, while in 1944 it was 7.3 per cent. Some of those so confined in 1944 were veterans of World War II, but the majority were veterans of World War I. Within the next 20 to 25 years, a third of all psychiatric patients may be

<sup>1</sup> *Patients in Mental Institutions, 1944*, U. S. Bureau of the Census, 1947.

TABLE 16

NUMBER OF PATIENTS ON THE BOOKS OF INSTITUTIONS FOR THE INSANE AND EPILEPTICS AT THE END OF THE YEAR 1944<sup>1</sup>

TYPE OF INSTITUTION	NUMBER OF PATIENTS	
	Psychiatric	Epileptic
All Hospitals	582,626	20,838
Permanent Care:	576,448	20,838
State	497,241	20,153
Veterans'	42,535	.....
County and City	23,037	.....
Private	13,635	685
Temporary Care:	6,178	.....
Psychopathic	692	.....
General	5,486	.....

receiving care in hospitals operated by the Veterans' Administration.

Table 17 shows expenditures for psychiatric cases in 1944.<sup>2</sup> State expenditures increased about 15 per cent from 1936 to 1944. This increase hardly kept up with the rising price level, and it made no allowance for the growing psychiatric population. In other words, at the end of 1944 the state hospitals were probably giving a lower grade of service than they were in the midst of the depression.

The Bureau of the Census has undertaken to assemble information which would be useful to superintendents of institutions and to those interested in the determination of public policy. The first

TABLE 17

TOTAL AND PER PATIENT EXPENDITURES FOR MAINTENANCE IN PSYCHIATRIC AND PSYCHOPATHIC HOSPITALS IN 1944<sup>3</sup>

TYPE OF INSTITUTION	EXPENDITURES	
	Total	Per Patient
State	\$156,038,423	\$ 366.35
Veterans'	33,580,291	860.46
Psychopathic	1,323,493	3,056.57

<sup>1</sup> *Op. cit.*, pp. 6 and 37.

<sup>2</sup> Expenditure data for epileptic patients are given by the Bureau of the Census in combination with expenditures for the care of mental defectives only.

<sup>3</sup> *Ibid.*, p. 6.

administrative fact to impress the census officials was the movement of population in institutions (Table 18).

The number of epileptics, as compared with the number of psychiatric patients (the Bureau of the Census formerly referred to these as the "insane"), is small, but the turnover is smaller. The

TABLE 18  
MOVEMENT OF POPULATION IN STATE INSTITUTIONS FOR  
PSYCHIATRIC AND EPILEPTIC PATIENTS, 1944<sup>1</sup>

MOVEMENT OF POPULATION	PSYCHIATRIC PATIENTS	EPILEPTIC PATIENTS
Beginning of Year:		
In Hospital	432,375	17,931
In Extramural Care	64,443	2,213
Admissions in Year:		
First Admissions	83,723	1,525
Readmissions	24,265	194
Transfers	5,826	88
Separations During Year:		
Discharges	63,836	779
Transfers	6,525	48
Deaths	43,030	971
On Books at End of Year:		
In Hospital	434,209	17,759
In Family Care	2,164	.....
In Other Extramural Care	60,868	2,394

rate of first admissions for psychiatric cases was twice as high as for epileptics, and the readmission rate is nearly five times as high for psychiatric patients as for epileptics.<sup>2</sup> Discharges accounted for 12.8 per cent of the psychiatric patients, but for only 3.8 per cent of the epileptics, while deaths accounted for separations equal to 8.7 per cent of the psychiatric patients and 4.8 per cent of the epileptics. The lower death rate among epileptics is undoubtedly due to lower average age of the patients.

The number of persons under care for mental disease or epilepsy increases year after year. That does not mean, however, that mental patients in the population are increasing more rapidly than the population. As the popular attitude has changed regarding mental disorders and has come to accept them as forms of illness, there has been a greater readiness to send mentally ill relatives and friends to

<sup>1</sup> *Ibid.*, pp. 5 and 36.

<sup>2</sup> The basis of percentage computations in this paragraph is the number of patients at the beginning of the year.

the state hospitals. This has put pressure on the capacity of the institutions. The state and veterans' hospitals do not follow the same policy in releasing patients on parole or under other control.

TABLE 19

COMPARISON OF EXTRAMURAL CARE BY STATE AND BY VETERANS' HOSPITALS, AND RATES PER 100,000 POPULATION OF PATIENTS IN STATE HOSPITALS, 1935 TO 1944<sup>1</sup>

YEAR	STATE HOSPITAL RATE	PER CENT OF PATIENTS ON EXTRAMURAL CARE	
		State	Veterans'
1935	277.6	11.0	4.5
1936	284.6	11.2	4.5
1937	290.4	11.4	4.9
1938	296.2	11.8	4.3
1939	305.6	11.5	4.1
1940*	311.0	11.7	4.6
1941	317.2	12.0	5.1
1942	330.5	12.5	5.6
1943	338.2	12.9	5.3
1944	343.2	12.9	7.5

\* State case rates for 1941-1944 are based upon estimated civilian population only.

Some of the increase in state case rates is only apparent because members of the armed services were not counted in the population base from which the rates were computed. But between 1941 and 1944 there was an actual increase of 6.5 per cent in the number of patients in the state hospitals. The relatively small proportion of patients under care of the Veterans' Administration who were released on extramural care cannot be easily explained. Since 1926 the proportion of state patients on extramural care has just about kept pace with the percentage of overcrowding in state hospitals. Veterans' hospitals apparently have a different policy regarding conditional release. During the war period there was some drop in the percentage of overcrowding in state hospitals, and in 1941 the veterans' hospitals were about 5 per cent below capacity. It is obvious that the best service to patients will be given when the hospitals are not filled quite to capacity.

#### ADMISSIONS TO HOSPITALS

The conditions of admission to public hospitals for the insane differ among the states. All states provide for commitment by a

<sup>1</sup> *Ibid.*, p. 60.

court of competent jurisdiction, and some states allow admission on the certificate of a health officer or upon voluntary application. The legal status of patients varies with the different methods by which they enter the institution. Traditionally patients have been admitted to hospitals or asylums for the insane on commitment by a court having equity jurisdiction. Advances in psychiatry have led to the realization that many mental patients recover or improve under treatment, and relatives of insane persons often seek to have a member of the family admitted to a hospital for treatment without the formality of commitment. In most states commitment is still necessary for admission to a mental hospital or epileptic colony, but a few states, such as Kentucky, New York, Virginia, and Wisconsin, allow admission for diagnostic purposes and for a limited time on application of the patient or his relatives or sometimes close friends.

**Legal Status of Uncommitted Patients.** The legal status of uncommitted patients resembles the legal status of a person who has entered any general hospital for surgery or other treatment. Such admission is generally looked upon as diagnostic in purpose. A health officer may request and secure the admission of a patient to an institution for mental patients in Kentucky and New York. Under the Kentucky law the superintendent of the hospital must determine within ten days whether or not the patient belongs in the institution; if he decides that the patient requires institutionalization, he notifies the appropriate court, and commitment is made regularly. In New York the person certified to the institution by a health officer may be detained thirty days for observation. Prior to the termination of the statutory period, the patient must be committed in the usual manner if the hospital is to detain him further. Voluntary admission in New York seems to be for diagnosis only, but in Kentucky a patient admitted on voluntary application, if found to need treatment by the superintendent, may remain as long as necessary, provided that he pays the cost of the service.<sup>1</sup> With minor variations in detail California makes similar provision for voluntary patients.<sup>2</sup> The right of the patient to life and property is not altered by voluntary admission, but his right to liberty is surrendered to the extent that the superintendent of the institution has the power to detain him for a period, specified by statute, after the patient gives notice that he wishes to leave. This period is usu-

<sup>1</sup> *Baldwin's Kentucky Statutes Service*, 1939, ch. 16, sec. 263b-16.

<sup>2</sup> *Welfare and Institutions Code*, sec. 6602.

ally about ten days. If the superintendent believes that the patient may injure himself or others, he may during this period seek to have him committed. Psychopathic hospitals, or psychiatric institutes, are likely to have proportionately many more voluntary patients than regular hospitals or colonies, because they are engaged exclusively in treatment and research and are concerned not at all with purely custodial care.

Voluntary admission to hospitals marks an important step in the development of both ideas and facilities for psychiatric treatment. It encourages the more lucid patients to seek treatment early, and it invites relatives to bring about the admission of disturbed persons for observation and earlier treatment. Commitment may turn out to be necessary, but in milder cases of psychoneurosis and manic-depressive insanity a brief period of treatment under controlled conditions may enable the patient to return to his home without having gone through the formality of court proceedings.

**Commitment.** Commitment historically was the means of protecting the insane person from injury and of protecting others from violent acts of the patient. It was the legal method of securing custody of a person who was dangerous to himself or to others, but until the present century it had little implication for treatment. "Insanity" is, therefore, by tradition a legal term; the medical terms for the condition are "mental disease," "mental disorder," "psychosis," or "neurosis." The concept of insanity as used by the courts has accumulated a number of identifying phrases: "The word 'insane' has been defined as meaning unsound in mind or intellect; mad; deranged in mind; delirious; distracted; and lunacy is held to be that condition or habit of mind in which it is directed by the will, but is wholly or partially misguided or erroneously governed; or it is an impairment of one or more of the mental faculties, accompanied by or inducing a defect in the power of comparison."<sup>1</sup> When such symptoms are present in a person, there is ground for issuing a writ *de lunatico inquirendo* to determine the mental condition of the person and "whether it is for the best interest of the individual alleged to be a lunatic and of the people among whom he lives" to take custody of his person.<sup>2</sup>

Important questions are at issue when commitment to an institution for mental patients is sought. The public is inclined to ridicule the court inquiry. The professional competence of a judge to de-

<sup>1</sup> 14 *Ruling Case Law* 549.

<sup>2</sup> *Ibid.*, 557, 561.



termine a medical question like insanity is doubted. But it is not the business of the court to diagnose the patient's malady; it is the function of the court to see that physicians who have professional competence have diagnosed the person as insane and to consider the advisability of taking custody of the individual as a protective measure. A court of equity by virtue of being "the representative of the people" has jurisdiction under the common law, but in most states jurisdiction is now controlled by statute and is often conferred upon probate courts.<sup>1</sup> When a hearing is called to consider committing an individual, the person alleged to be insane must have notice of the hearing unless this procedure is dispensed with by the court for special reasons, such as the health of the patient, and in some states certain relatives have a right to notice of the proceedings. The patient may attend the hearing, if he wishes or the judge requires it, and in case of a jury trial the jury has a right to see the patient, unless bringing the patient into court would be attended by inconvenience or injury to him; but some states have dispensed with a jury trial as unnecessary for the protection of the constitutional rights of the patient.<sup>2</sup> At the hearing the status of the patient is determined; the finding should show clearly whether the individual is so bereft of reason as to warrant "his being deprived of power over both his person and his estate." An affirmative answer to this question is followed by commitment to an institution for the insane or for the epileptic.

**Recourse of the Committed Individual.** The person adjudged insane and taken into custody has the right to question the legality of the proceedings. He may do this himself by retaining the services of an attorney, or it may be done for him by interested relatives or friends. It has been generally held by the courts that before a person is committed to an institution the protection of his rights to life, liberty, and property requires notice and opportunity to be heard. These rights can be taken away only by due process of law. However, in some states commitment may be made without notice or opportunity of the patient to be heard, provided that the patient or an interested party may have the restraint inquired into by a judicial tribunal. The latter is regarded as constituting due process of law.<sup>3</sup> If an insane person has been committed to an institution

<sup>1</sup> *Ibid.*, 557.

<sup>2</sup> *Ibid.*, 559, 560.

<sup>3</sup> *Ibid.*, 563. Cases upholding this procedure have been reported by Massachusetts, Oklahoma, and Rhode Island.

in the regular way and is later given an unconditional discharge by the authorities of the institution, he may be confined again, except as a temporary necessity, only after judicial proceedings. If an insane person believes himself or is believed by others to have been committed illegally, he may resort to a writ of *habeas corpus* to secure his discharge.

**Appointment of a Guardian.** Commitment of a person adjudged to be insane to an institution may or may not be followed by the appointment of a guardian, committee, or receiver to take charge of his estate. If a guardian of the person is appointed, he is often different from the individual or committee appointed to manage the estate and is usually a member of the immediate family or a near relative. The power to appoint a guardian is discretionary and should be exercised only on notice; the procedure for the regulation of the appointment of a guardian is statutory.<sup>1</sup> An appeal from the order committing a person may be entered in lunacy proceedings, when its legality is questioned, but this does not oust or suspend the guardian from his functions or his duty to guard the insane person's property. These represent two distinct proceedings.<sup>2</sup> The guardian has the power under order of the court to manage and maintain the estate and to invest funds which accumulate; the court may demand an accounting at any time.

**Torts of Insane Persons.** Aside from considerations of treatment which a mental patient may receive in an institution, it is to the advantage of the patient, if there is any probability of his damaging other persons or their property, to be admitted to an institution, because insane persons are liable for damages. "This rule is usually considered to be based on the principle that where a loss must be borne by one of two persons, it shall be borne by him who occasioned it, and it has been held that public policy requires the enforcement of the liability in order that those interested in the estate of the insane person, as relatives or otherwise, may be under inducement to restrain him and that tort-feasors may not simulate or pretend insanity to defend their wrongful acts causing damage to others."<sup>3</sup> The weakness of this provision of the law lies in the fact that persons interested in the estate of an insane person or one said to be insane may endeavor to secure commitment for their own ulterior purposes, and a court which lacks adequate resources for determining insanity may commit persons who are in fact not committable. In

<sup>1</sup> *Ibid.*, 568.

<sup>2</sup> *Ibid.*, 572-573.

<sup>3</sup> *Ibid.*, 596.

most states the best protection in such circumstances rests with the institution authorities who may discharge the patient on their own initiative; or he may secure his discharge by *habeas corpus* proceedings.

**Commitment by State Commission.** A state lunacy commission which shall have the exclusive power of committing persons to mental hospitals has been proposed as a remedy for the difficulties encountered through the courts. The courts would be deprived of this power by statute, and all applications for commitment would be to the state commission. It is presumed that such a commission would be composed of professional persons who would be competent to pass judgment upon the need for commitment and would consider only the mental condition of the patient. The courts would still have jurisdiction over the property of the patient and could appoint a guardian, committee, or receiver to take charge of it. Presumably a commission would be less easily tricked into committing persons who do not require confinement and would provide better protection to the patient as well as provide more assurance of proper treatment. If a suitable administrative organization could be set up to cover the entire state and to make application for commitment easy, a state commission with exclusive power to commit would probably be an improvement over the traditional court procedure.

However, the right of appeal to the courts by the patient, relatives, or other interested persons should be maintained. The lunacy commission may have a staff of psychiatrists, psychologists, and social workers whose professional competence is beyond question, but ordinarily they would not be familiar with the procedure nor possess the habits of mind which are characteristic of the judicial tribunal and which have developed as technique for securing the rights of life, liberty, and property to the citizen. The federal and the state constitutions provide for the initiation of *habeas corpus* proceedings to guarantee the rights of life and liberty in cases where there is any question in the mind of an interested party or the patient that commitment has been made and these rights suspended without due process of law.

No administrative court, such as a lunacy commission would be, should have the power to take away or alter the right to property without due process of law or without the right of appeal to the regular courts.

## ADMINISTRATIVE ORGANIZATION

We are concerned with the relation of institutions and agencies for the care of mental patients to other departments of the executive branch of government and with the internal organization of hospitals. There is great variety in administrative organization, and only the more common characteristics can be outlined here. Although the proper care of mental patients is in some respects conditioned by the organization prescribed by law, it is much more dependent upon the quality of personnel which administers the institution or agency.

**Relation to Public Welfare System.** The peculiar nature of mental disorders and epilepsy may seem to distinguish them from other social problems and therefore to warrant a plan of care which can disregard the other parts of the public welfare system, but this would be an unrealistic viewpoint. The commitment of a patient to an institution affects the economic and social life of members of the family, and often it creates problems, such as dependency, which require the attention of other public welfare agencies. Historically the care of mental patients has been regarded as one of the major divisions of public welfare services. It is reasonable, therefore, to expect that this service will be more or less co-ordinated with other parts of the welfare system.

Care of the mentally ill by the federal government is distributed among the Federal Security Agency, the Department of the Interior, and the Veterans' Administration. The most important units under the Federal Security Agency are St. Elizabeth's Hospital across the Potomac from the District of Columbia and those under the Public Health Service. The patients are chiefly government employees or citizens of the districts with federal government. The Department of the Interior operates a hospital in Oregon which receives mental patients from Alaska, and one in South Dakota for Indians. The veterans' hospitals receive patients from among the ex-soldiers. The Veterans' Administration is an independent federal agency responsible directly to the President.

There are 182 state hospitals (according to the census of 1944). Originally each hospital was an independent administrative unit responsible directly to the governor of the state, and many of them still are; but since the establishment of the first board of state charities and corrections there has been a tendency to group them under

a general public welfare agency or in a mental hygiene department. In Illinois they are in the State Department of Public Welfare. In Texas and some other states they are independent units under the State Board of Control. New York and Massachusetts each has a separate department to administer the institutions for mental patients; the commissioner is appointed by the governor and is responsible to him. The Massachusetts law provides for the appointment of institution heads by the respective boards of trustees with the approval of the Commissioner. In New York the institution boards are largely advisory; control is exercised by the Commissioner of the Department of Mental Hygiene.

The evidence as to which type of organization is most desirable is not conclusive. On theoretical grounds probably the board of control type of organization is least satisfactory. Boards of control, such as the Texas board, have many other responsibilities; they are usually appointed because of their political affiliations, and the members are likely to have little competence so far as the care of mental patients is concerned. A separate department for mental hygiene has the advantage of direct access to the governor and perhaps to the legislature. The executive head can dramatize the importance of mental hygiene by separate reports and special budgets, and the chances of getting a competent executive may be increased because of the prominence which departmental status gives. The governor may be impressed by the technical requirements of the position and be less inclined to appoint a political friend who has no professional qualifications. On the other hand, an integrated department of public welfare, as in New Jersey or Ohio, has the advantage of co-ordinating the care of mental patients with other social services and of profiting by association with people engaged in other forms of public welfare administration. Furthermore, while a case may be made for separation of public welfare services in the larger states in order to emphasize each major function, it can also be said that the sheer fact of size of a state department has prestige value and gains respect from the legislature and the governor, as well as the general public. Institutional care is a way of caring for persons who require some kind of aid; it is "indoor" care. Other public welfare services are given in the home, at offices, and in outpatient clinics; these are "outdoor" services. Both kinds of services are maintained by the state for its citizens, and a recipient of outdoor services may at another time receive indoor services, and vice versa. The history

of public welfare organization shows that a service has received public support in direct proportion to the degree of its acceptance as a special category for treatment. This fact, however, does not prove that every category should be set up as a department of the state government; it suggests only that certain special services are required by the category, whereas the individual may need the services of several categories during his lifetime. The transfer or referral from one category to another is almost certainly more easily effected when the categories are administratively co-ordinated.

County and city institutions for mental patients are largely custodial. They undertake very little treatment other than that required for protecting the patient and giving him general medical attention. In 1936 there were 67 such hospitals located in twelve states, but the county hospital plan of Wisconsin is the most widely known. In the words of the Wisconsin statute, "Every county may, pursuant to section 46.17, establish a county asylum for the chronic insane for the detention of persons adjudged or alleged insane pursuant to law."<sup>1</sup> These institutions are under the control of the county board, although there is for each institution a board of trustees which has some voice in the operation of the institution. If sufficient co-ordination with the state system is achieved to divide the mental patients into the chronic and the acute, and if the county institutions care for the chronic cases, the state hospitals may be in position to devote all of their attention to treatment of the more hopeful cases and would not be so much occupied with custodial problems. That would be an advantage to the state mental hygiene program.

**Internal Organization of Institutions.** The internal organization of hospitals and other institutions is by no means standardized, but there is some general similarity in types of personnel, number of employees, physical plan of the institution, and the kinds of treatment available. Almost all state hospitals which are not located in the midst of a large city have farms varying in size from a few acres to many hundreds of acres. The immediate grounds on which the buildings are standing at most institutions are skillfully landscaped, and the trees, grass, and flowers often present the appearance of a beautifully kept park. In recent decades the so-called cottage plan of architecture has been favored, and much of the new construction permits the establishment of a more homelike atmosphere through

<sup>1</sup> *Laws of Wisconsin*, ch. 51, sec. 51.25.

the reduction in the number of persons constantly thrown together and by the provision of some opportunity for privacy. The "cottages," however, are often large buildings which accommodate from about 50 to 120 patients. These are an improvement over the old bastilles which dotted the landscape in the middle of the last century, some of which have persisted to the present day (Central State Hospital at Indianapolis, Main Building, is a good example of the older congregate type of architecture).

The administrative organization of an institution for mental patients consists of a number of departments. The following activities are found in some form in all institutions: medical, business, maintenance of buildings and grounds, and service. These activities may be grouped into a small number of departments in a small institution, or in large ones if the superintendent has able subexecutives and wants to reduce the number of persons reporting directly to him; but in some institutions the activities have been placed in a large number of departments. The chart shown in Figure 13 shows

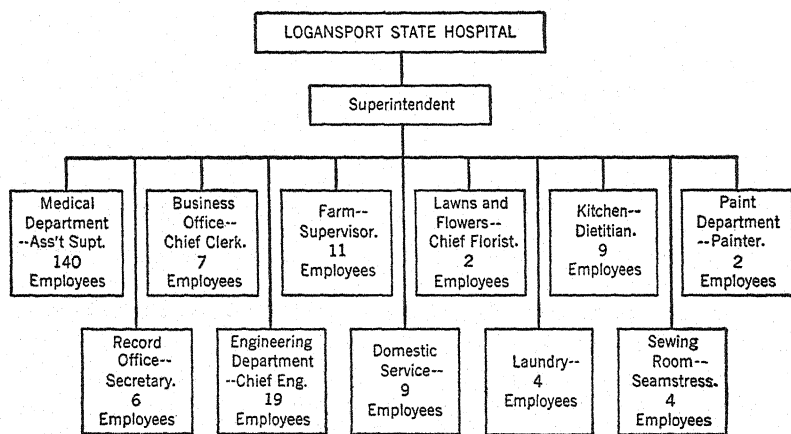


FIGURE 13. ORGANIZATION OF THE STATE HOSPITAL, LOGANSPORT, INDIANA, JUNE, 1939<sup>1</sup>

the organization of the Logansport (Indiana) State Hospital. This hospital had a capacity of 1,509, but on June 30, 1938, there were 1,726 patients in the institution and 70 on parole, or overcrowding to the extent of 11.5 per cent of the capacity.<sup>2</sup> There was one staff

<sup>1</sup> Data furnished by Dr. C. L. Williams, Superintendent.

<sup>2</sup> *Logansport State Hospital, Golden Anniversary Number*, June 30, 1938, p. 13.

member to every 8.1 patients. Counting the superintendent, who is compelled by the necessity of circumstances to give almost his entire time to administration, there was one physician to about every 290 patients. For the country as a whole in 1936 the ratio was one physician to 217.9 patients,<sup>1</sup> but under wartime conditions this ratio rose to 295 in 1944.<sup>2</sup> The corresponding figure for all Indiana hospitals was 387 in 1944,<sup>3</sup> and the ratio of patients to employees was 9.8. The ratio of patients to employees for all state hospitals was 7.0 in 1944.<sup>4</sup> As an illustration of the organization of a state hospital, the Logansport institution was fairly representative in 1936, and the general changes in personnel during the war suggest that it changed for the worse with the shortage of personnel at that time, along with other state hospitals. Conditions should have improved somewhat by 1949, but data are not available to make comparisons.

In mental hospitals, besides the relatively large number of unskilled employees—many of whom unfortunately are attendants on the wards where better-qualified personnel is required—several types of professional and skilled employees are needed: they include physicians with psychiatric training, dentists, nurses, pharmacists, social workers, occupational therapists, accountants, farmers, gardeners, and a variety of mechanics. The types and numbers of employees in hospitals were reported by the Bureau of the Census in 1944. Table 20 shows the distribution, and also the average number of patients per employee for the hospitals. The rates for individual states, of course, vary widely from the national ratios shown in Table 20. The lowest ratio for state hospitals was for Alabama with 82.9 employees per 1,000 patients, and the highest was for New Mexico with 288.9 employees per 1,000 patients. But this ratio is not so significant as some of those relating to certain technical personnel, such as physicians, psychologists, graduate nurses, therapists, and social workers, who are concerned not only with the custodial care of patients but also with improvement in their condition. Alabama had 1.9 physicians (including superintendents) and 1.2 graduate nurses per 1,000 patients but had no psychologist, therapist, or social worker. New Mexico had 1.9 physicians for each 907 patients, no psychologist, 7.7 therapists and 3.3 graduate nurses per

<sup>1</sup> *Patients in Hospitals for Mental Disease, 1936*, United States Bureau of the Census, p. 58.

<sup>2</sup> *Patients in Mental Institutions, 1944*, United States Bureau of the Census, pp. 156, 157.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*



TABLE 20

ADMINISTRATIVE STAFF, FULL-TIME, WITH RATIOS, OF STATE AND VETERANS' HOSPITALS FOR MENTAL DISEASE AND PSYCHOPATHIC HOSPITALS, BY OCCUPATIONS, FOR THE UNITED STATES, 1944<sup>1</sup>

OCCUPATION	NUMBER OF EMPLOYEES AND RATIO OF PATIENTS THERETO*					
	State Hospitals		Veterans' Hospitals		Psychopathic Hospitals	
	Employ-ees	Ratio	Employ-ees	Ratio	Employ-ees	Ratio
Total	59,515	142.3	12,176	312.0	837	1,780.9
Superintendents and Physicians:						
Superintendents	1,418	3.4	407	10.4	67	142.6
Assistant Superintendents	179	.4	31	.8	5	10.6
Clinical Directors	131	.3	6	.2	4	8.5
Pathologists	71	.2	27	.7	3	6.4
Medical Specialists	42	.1	5	.1	2	4.3
Staff Physicians	14	.....	21	.5	2	4.3
Medical Internes	942	2.3	317	8.1	34	72.3
Psychologists and Psychometrists:	39	.1	.....	.....	17	36.2
Dentists	76	.2	3	.1	11	23.4
Dental Assistants	124	.3	53	1.4	1	2.1
Pharmacists	74	.2	39	1.0	...	.....
Clinical Assistants	129	.3	34	.9	1	2.1
Laboratory and X-ray Technicians	23	.1	9	.2	1	2.1
Graduate Nurses	335	.8	76	1.9	21	44.7
Other Nurses and Attendants	2,749	6.6	1,032	26.4	123	261.7
Therapists and Assistants	31,207	74.6	5,303	125.9	301	640.4
Dietitians	1,594	3.8	345	8.8	22	46.8
Social Workers and Field Workers	174	.4	75	1.9	3	6.4
Stewards	373	.9	38	1.0	22	46.8
Clerical Employees	250	.6	16	.4	3	6.4
Other Employees	2,919	7.0	1,139	29.2	93	197.9
	18,070	43.2	3,607	92.4	168	357.4

\* The ratio represents the number of employees in the occupation per 1,000 patients.

1,000 patients, and no social worker. These are to be compared with such more nearly adequate personnel ratios as the following: 7.4 physicians in the District of Columbia, .6 psychologist in New Jersey, 18.7 graduate nurses in the District of Columbia, 5.6

<sup>1</sup> *Ibid.*, p. 30.

therapists of various kinds in New York, and 2.5 social workers in New Jersey.<sup>1</sup>

Among the states, high general personnel ratios may, therefore, be due to the employment of large numbers of untrained attendants. These are highly important when they are appointed only to jobs they are qualified to do. This can be seen by noticing the high ratio of these "other nurses and attendants" in the psychopathic hospitals, where all the personnel of all classifications are employed. But they are not a substitute for the technical personnel, as too many state legislatures seem to think. The importance of the physician (he should be a psychiatrist) and of the social worker in serving the patient and accelerating patient turnovers seems to be a difficult concept for the ordinary legislative mind. A comparison of the ratios for state hospitals with those for psychopathic hospitals brings out the weakest spots in the administrative organization of the state mental health services. The same conclusions can be drawn from a comparison with the veterans' hospitals, although the contrast is not quite so great, but it is more valid. The number of physicians proposed by American Psychiatric Association is about 6 per 1,000 patients. Hence state hospitals have about half enough physicians, while veterans' institutions have about 10 per 1,000 patients.

The inadequacy in the number of physicians, social workers, and graduate nurses is the most serious deficiency in the state hospitals. This lack is due almost entirely to the refusal or inability of state legislatures to face the realities of the mental health problem. Very few families can afford to pay the costs of private hospital care. In fact, few families with less than \$15,000 annual income could pay such costs. But the state hospital should be able to charge the patient or his family for care at a rate consistent with income. Hence it is a moral obligation of legislatures, and it should be a political one, to accept the advice of their psychiatric advisers and to provide by appropriations for adequate salaries for enough of these three kinds of personnel.

#### TREATMENT PROBLEMS

The problems of the treatment of mental disorders arise out of the fact that the patient may be dangerous both to himself and to others,

<sup>1</sup> Computed from the 1944 census data, *op. cit.*, pp. 156, 157. All ratios are based upon 1,000 patients.

TABLE 21

PERCENTAGE DISTRIBUTION OF FIRST ADMISSIONS TO HOSPITALS, BY PSYCHOSIS AND SEX, 1944†

MENTAL DISORDER	TOTAL		STATE HOSPITALS		VETERANS' HOSPITALS		COUNTY AND CITY HOSPITALS		PRIVATE HOSPITALS	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
With Psychosis	83.6	90.0	86.9	92.5	83.0		75.3	80.8	68.7	87.1
General Paresis	6.5	3.2	9.5	4.1	2.0		5.3	2.6	1.9	.6
With Other Forms of Syphilis of the C.N.S.	1.1	.5	1.2	.6	1.1		1.2	.6	.6	.3
With Epidemic Encephalitis	.2	.2	.2	.2	.2		.3	.1	.2	.1
With Other Infectious Disease	.3	.3	.3	.3	.2		.3	.1	.2	.2
Alcoholic	4.2	1.3	5.1	1.3	2.4		4.5	.9	4.2	1.4
Due to Drugs and Other Exogenous Poisons	1.2	.7	.3	.4	.3		.2	.3	.8	1.7
Traumatic	.7	.2	.7	.1	.7		.7	.2	.5	.2
With Cerebral Arteriosclerosis	11.2	12.6	16.6	15.1	1.8		13.8	11.6	5.8	4.8
With Other Disturbances of Circulation	.7	.8	.9	.9	.3		.2	1.1	.7	.6
With Convulsive Disorders	1.4	1.3	1.9	1.5	.7		1.1	1.1	.5	.4
Senile	7.9	12.9	11.5	14.5	.3		18.5	20.9	5.6	6.7
Involuntional Psychoses	1.6	7.6	1.7	6.7	.8		.6	2.3	3.5	11.0
Due to Other Metabolic, etc. Diseases	.6	1.1	.8	1.2	.1		.7	.5	.4	.7
Due to New Growth	.2	.2	.2	.2	.1		.1	.1	.1	.1
With Organic Changes of the Nervous System	.9	.9	1.2	1.0	.5		.6	.5	.3	.6
Psychoneuroses	3.6	5.8	2.0	3.8	6.2		.9	1.3	6.5	12.7
Manic-Depressive	6.2	13.4	5.9	11.6	5.3		4.0	11.0	10.7	19.4
Dementia Praecox	24.0	20.6	18.4	21.7	42.0		11.0	16.3	10.7	17.6
Paranoia and Paranoid	1.2	1.5	1.2	1.2	1.3		1.2	1.4	1.7	2.6
With Psychopathic Personality	1.8	.8	1.0	.7	4.0		.5	.6	.8	1.4
With Mental Deficiency	3.3	2.4	3.0	2.6	3.8		4.7	3.2	3.3	1.5
Other*	5.0	2.7	3.5	2.7	9.4		3.8	4.1	2.5	2.5
Without Psychosis†	14.2	6.6	10.8	5.7	16.7		4.9	3.3	27.7	9.8

\* *Op. cit.*, p. 21. † Includes undiagnosed and unknown psychoses.

† Most common are mental deficiency and alcoholism.

that in most cases there are no known bodily conditions which account for the extraordinary behavior, and that indirect treatment must be undertaken. Diagnosis is based upon the symptom syndrome, and treatment is begun and carried out for the purpose of removing or alleviating the symptoms. If in the course of time the patient's behavior returns to normal or approaches normal, he may be discharged as "recovered" or as "improved." Table 21 gives the diagnosis of first admissions to state institutions in 1944.

The most common psychoses in men are general paresis, alcoholism, psychosis with cerebral arteriosclerosis, senility, manic-depressive insanity, and dementia praecox; the high ones are the same for women except that they are not admitted with a diagnosis of alcoholism or of general paresis so often. The rates for manic-depressive insanity, dementia praecox, senility, and the involutional psychoses are the high ones for females. The age of veterans probably accounts for the high rate of dementia praecox. Readmissions are equal to 29.0 per cent of the first admissions and 22.5 per cent of total admissions.<sup>1</sup>

First admissions to institutions for epileptics amount to 1.8 per cent of the first admissions to hospitals for the insane. Obviously epilepsy, so far as the state is concerned, is a minor administrative problem. Readmissions to institutions for epileptics equal 12.7 per cent of the first admissions. This is considerably lower than the corresponding figure for the insane. A smaller proportion of the epileptics than the insane die, but a third of the epileptics are discharged "unimproved," whereas only about 9 per cent of the discharges of insane patients are reported to be unimproved.<sup>2</sup>

When the patient enters a hospital for the insane, there is usually a well-defined routine through which he goes. If he is seriously disturbed, he will be given drugs and a long warm bath to relax him before any attempt is made to diagnose his disorder and to prescribe a treatment regimen. As the personnel Table 20 suggests, the possible kinds of treatment include general medical, psychiatric, dental, occupational, and recreational. The following chart (Figure 14) indicates the normal movement of a patient through the Logansport (Indiana) State Hospital.<sup>3</sup> In a general way this routine illustrates the movement of a patient through a hospital; the content of the

<sup>1</sup> *Ibid.*, p. 87.

<sup>2</sup> *Ibid.*, pp. 25, 51, 87, and 216.

<sup>3</sup> Data for chart supplied by Dr. C. L. Williams, former Superintendent.

various examinations and the intensity of treatment vary at different hospitals and for different types of patients, and in some institutions the furlough will be preceded by a careful social service study of the situation and accompanied by social case-work supervision.

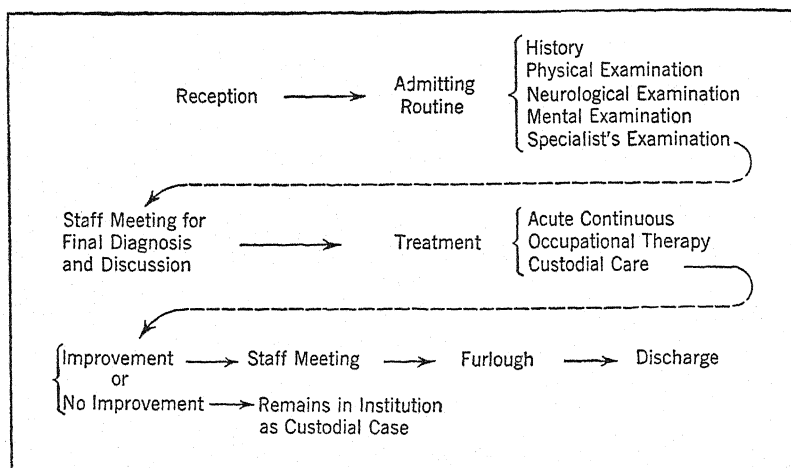


FIGURE 14. FLOW CHART, REPRESENTING PASSAGE OF PATIENT THROUGH THE LOGANSFORT STATE HOSPITAL

In recent years a new type of institution, the psychopathic hospital or psychiatric institute, has appeared. Such institutions have been established in Colorado, Illinois, Iowa, Massachusetts, Michigan, New York, and Texas. These hospitals have been established as centers of teaching and research and as clearing houses for mental patients. The turnover of patients is rapid; at the end of 1944 such institutions had 512 patients under care and 180 on parole, whereas during the year they admitted 3,953 and separated 3,813 from care.<sup>1</sup> It is characteristic of the psychopathic hospital to have a much more adequate professional staff than has been possible in the ordinary institutions and to have more complete laboratory and mechanical equipment for study and diagnosis. Consequently, the psychopathic hospital may be utilized as a receiving hospital which keeps most patients just long enough to make a diagnosis before transferring them to a regular hospital, and which selects the cases which are wanted for research purposes and kept indefinitely in the

<sup>1</sup> *Patients in Mental Institutions, 1944*, p. 80.

psychopathic hospital. It is to be expected that experience with the psychopathic institution will react upon the older type of institution and stimulate the development of better standards in the whole state system.

The atmosphere of the psychopathic hospital differs from that of the regular institutions chiefly because it is freed of the necessity of the custodial care of insane persons. It exists for research, teaching, and treatment only. Consequently, in classifying patients it is more realistic. The kind of study which a psychopathic hospital makes of a patient is more adequate to determine whether or not it would be safe to return the patient to his family. From his study of the institutional care of mental patients Dr. John Maurice Grimes has made some pertinent observations regarding this problem. After a study of state hospitals for the Council on Medical Education and Hospitals of the American Medical Association he noted that until quite recently it had been assumed that all patients in mental hospitals were committed for life; and, consequently, legislative bodies have seldom given attention to the inclusion of statutory provision for parole and parole supervision. He observes, further, that in many states a few social workers have been employed whose duty it is to make pre-parole investigation and to supervise the readjustment of the patient in his community. Dr. Grimes believes that no state has fully recognized that the employment of a larger number of social workers would make possible the parole of thousands of additional patients and would save the states large sums of money for new construction and equipment.<sup>1</sup> The problem indicated by Dr. Grimes is a professional problem: it involves facilities for diagnosis and the classification of patients with a view to retaining them in the institution as short a time as possible. The final decision in these matters rests with the physician in charge of the case.

#### COSTS OF HOSPITALS FOR THE INSANE

The cost of building and operating hospitals for the insane has long been a large item in state budgets. The number of persons entering hospitals for the insane has steadily increased since records have been kept; this has been due partly to the growing realization that the hospital offers treatment which cannot be given in the home and partly to the desire of relatives to find suitable custodial care

<sup>1</sup> *The Institutional Care of Mental Patients in the United States*, 1934, pp. 96, 97.

for a disturbing member of the household and the community. The custodial problem is likely to increase relative to the treatment problem because of the increasing age of the population. In 1944, 26.2 per cent of the first admissions to hospitals were 65 years of age or older; that is about four times as many as would be expected on the basis of the number of this age group in the population. Aged persons are likely to be mainly custodial cases. By 1980 the proportion of the population over 65 years of age will be about twice what it is today, and we may expect the proportion of aged mental cases to increase somewhat proportionately, which means that greater custodial facilities will be needed unless sufficient professional staff is provided by the state legislatures to hasten the parole of noncustodial cases.

\* In 1944 the state hospitals spent \$163,189,400 for maintenance, new construction, and improvements. Maintenance, which includes salaries and wages, provisions, and public utility services, accounted for 95.6 per cent of this amount. In terms of patient population the total annual cost per patient was \$385.49, and for maintenance alone was \$366.35.<sup>1</sup> The per patient cost of maintenance ranged from \$196.16 in Oklahoma to \$811.27 in the District of Columbia. The median cost of maintenance by states was \$329.45. It is unquestionable that the per patient cost of personnel should be increased in most state hospitals for purposes both of treatment and of economy. If this were done throughout the country, the immediate result would be a sharp increase in total costs and per patient costs; but if the increased staff could reduce the average length of time a patient stays in the hospital, within a few years it is probable that the drop in total cost of provisions would offset to some extent, if not entirely, the rise in cost of personnel. The costs of personnel for custodial care are much lower than for therapeutic services. Consequently, some plan for segregating the custodial patients in order to provide satisfactory but less expensive personnel is desirable from the viewpoint of economy; these patients require only supervision from a physician and medical care when sick. Such a segregation is desirable from the viewpoint of the treatment of those who seem to respond to treatment, because the physicians and other professional employees can concentrate their attention upon getting people well and returning them to their families and their communities.

<sup>1</sup> *Patients in Mental Institutions, 1944*, pp. 158 and 159.

*QUESTIONS*

1. Compare the movement of patient population in the hospitals for mental patients of your state with that of the nation and of other states.
2. What is the excess patient population over capacity in hospitals of your state?
3. What kind of supervision of paroled patients would you suggest?
4. What is the legal status of a patient committed to a state hospital?
5. What advantages would there be in giving all commitment authority to a state lunacy commission? Should the courts retain any function with respect to the insane?
6. Discuss the relative advantages of a state department of mental hygiene and a state department of public welfare with a division of mental hygiene.
7. What is the advantage of the cottage plan of hospital construction?
8. What changes would you make in the administrative organization of the hospitals in your state in order to improve treatment and hasten movement of population?



## CHAPTER XI

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### CARE OF THE FEEBLE-MINDED

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The care of the feeble-minded, or mentally deficient, is a different problem from the care of the insane or the epileptic. The feeble-minded person has some anatomical or physiological lack which limits his intellectual capacity. Presumably feeble-mindedness may be the result of defective heredity in a certain proportion of cases; but much mental deficiency may result also from injuries to the fetus, to the child at the time of birth, or to the child after birth. Some diseases in infancy or early childhood are believed to leave permanent injuries to the nervous system. Tredgold, on the basis of extensive surveys in England, noticed that feeble-minded persons more often have ancestors who suffered from insanity, epilepsy, and other psychopathological conditions than ancestors who themselves were mentally defective.<sup>1</sup> Davies has summarized the results of many studies of feeble-minded persons and comes to the conclusion that Dr. William E. Fernald's opinion, that about half the persons whom he examined at Waverley were feeble-minded from causes other than heredity, is substantially correct as a general rule.<sup>2</sup> The decision, then, as to whether or not the condition of a particular feeble-minded person can be accounted for on the basis of heredity is a problem for specific determination from the case history. The care given him may or may not be influenced by the determination of the cause of his mental condition.

There are several reasons why the public must be interested in the feeble-minded. This group in the population present special educational and custodial problems. They are not "patients" in the sense that the insane and epileptic are patients. It would be more nearly correct to refer to the feeble-minded child under the care of the state as a pupil. The aim of the care of the feeble-minded, or at least the

<sup>1</sup> A. F. Tredgold, *Mental Deficiency*, 4th edition, 1929, p. 25.

<sup>2</sup> Stanley P. Davies, *Social Control of the Mentally Deficient*, 1930, p. 159.

higher grades, is less to protect the person from injuring himself or other people than it is to train him in simple personal and occupational habits and to prevent the procreation of children for whom he would be unable to provide. The feeble-minded are roughly classified as idiots, imbeciles, and morons; these terms have no reference whatever to emotions and behavior patterns but refer exclusively to the amount of intelligence possessed. The grade of mental deficiency cannot be accurately determined by a simple intelligence test, such as the Stanford Revision of the Binet test; in addition, a consideration of medical and social data is necessary. The problem of the public welfare system is to provide custodial care of indefinite duration for the lower grades who cannot be cared for by relatives or who are in danger of injury to themselves if left at large, and to train some imbeciles and most morons under properly controlled conditions so that they can be returned to the community with safety. Many of the latter in simple environments can earn their living at unskilled labor; certainly they should not be a permanent, continuous charge on the public.

The institutions or agencies for the care of the feeble-minded have varying relations to the public welfare organization of the state. In New York the care of the feeble-minded is a function of the State Department of Mental Hygiene. In New Jersey, it is the responsibility of the Department of Institutions and Agencies; in Illinois, it is in the State Department of Public Welfare. In Indiana this function was given to the Division of Institutions in 1936, a sort of unattached unit, of which the Public Welfare Administrator was the executive; but later the care of the feeble-minded became almost independent. It is obvious that the care of the feeble-minded should be in the same administrative unit as the institutions for the insane and the epileptic in order to facilitate transfer of persons from one type of institution to another when desirable, and in order to bring together in easy association physicians and other professional groups who specialize in the treatment of persons presenting mental anomalies. Furthermore, because the parolee from an institution for the feeble-minded is likely to require other types of public welfare services more frequently than the average citizen, it would be desirable, except possibly in a few of the more populous states, to have the institution for the mentally defective inside an all-inclusive state department of public welfare. The institution may have an advisory board, a board of governors, or a board of trustees, but such a lay

board should have little if any administrative power; the functions which a lay board is qualified to perform with respect to such an institution are advisory rather than administrative, but in the hands of a skillful superintendent an advisory board can be very useful to the institution.

### ADMISSION

The procedure required for admitting a mental defective to a state institution, other than an institution for defective delinquents past the juvenile court age, is similar to that prescribed by law regarding the insane or the epileptic. Voluntary admission is permitted in New York and a few other states, but the individual may leave at his own discretion after due notice to the superintendent and within a specified period of time. Ordinary admission, however, is by court commitment. Usually relatives or friends of the person alleged to be feeble-minded may petition the appropriate court to commit him, or under some laws, such as that of Illinois, "any reputable citizen" may seek to have a person committed to an institution if the person appears to be defective and appears to need the protection of the state. Under the California law a probation officer or a district attorney may petition the court to commit the defective person to an institution. Various courts are authorized to receive petitions for commitment and to hold hearings, but the following are typical: the superior court of the county in California; circuit, county, or city court in Illinois; and the county or district court of record in Wisconsin. The court usually appoints two physicians or a physician and a psychologist to examine the person alleged to be feeble-minded. Their report is examined by the judge, who then dismisses the case or issues a decree of commitment according to the findings and his judgment concerning the best interests of the person. Discharge or parole from the institution is ordinarily at the discretion of the superintendent of the institution or of the state department of which the institution is a part.

Instead of sending the feeble-minded person to an institution, the court may appoint a suitable guardian and release the individual to the custody of the guardian. Under such circumstances the feeble-minded person has the right to apply for the removal of the guardian, or some relative or reputable citizen who is not the guardian may seek the discharge of the guardianship. The court may then designate some other person to be the guardian, or it may change the

decree and commit the feeble-minded person to an institution. The guardian of the feeble-minded individual is not necessarily appointed guardian of his property or estate; these are separate judicial acts, and in the case of children there may be no occasion for the appointment of a guardian of property or estate. However, it is the duty of the court to protect both the personal and the property rights of the person adjudged feeble-minded, and any near relative, friend, or interested citizen may seek a writ of *habeas corpus* if he questions the action taken by the court.

#### MOVEMENT OF THE FEEBLE-MINDED POPULATION

The number of mental defectives in institutions is only about one fourth as large as the number of insane. We shall probably never have even a close estimate of the number of persons in the country who are suffering from mental disorders and epilepsy, because most persons develop the symptoms after maturity, and many of them quite late in life when there is no routine procedure possible for an approximately complete enumeration. The situation is different in the case of mental defectives, although no reliable count of this class of the population has ever been made. People rarely become mentally defective after maturity. Feeble-minded persons have been for the most part mentally defective from birth or from some time in early childhood. Consequently, it would be possible to examine all school children and to count with a fair degree of accuracy all of the mental defectives in the country who are in the school-age group. This, however, has never been done; but some estimates have been made of the probable number of mental defectives in the population. In 1936 with 12,927 persons in the schools for mental defectives in New York, Dr. Horatio M. Pollock estimated that this number probably represented about 5 per cent of the total in the state.<sup>1</sup> He suggested that the number in New York was probably close to a quarter of a million. New York has a larger number of mental defectives in institutions in proportion to population than most other states; in fact, according to the report of the United States Bureau of the Census, at the end of 1936 there were in the New York institutions 18.7 per cent of all mental defectives in the state institutions of the country.<sup>2</sup> If Dr. Pollock's estimate that only about 5 per cent

<sup>1</sup> *Twenty-seventh Annual Report of the Board of Visitors of Letchworth Village, New York State Department of Mental Hygiene, 1936, p. 19.*

<sup>2</sup> *Patients in Mental Institutions, 1944, pp. 36 and 165.*

of such persons were in the state institutions is accepted and if we could use his basis for making a rough estimate of the number in the country, we should arrive at a figure in the neighborhood of 2,000,000. But one of the committees of the White House Conference on Child Health and Protection, called by President Hoover, estimated the number of mental defectives in the country to be about 450,000. There is no way of reconciling these two widely different estimates, but Dr. Pollock's estimate is much nearer to the theoretical number which is indicated by the normal distribution of intelligence in the population—on the assumption, of course, that intelligence in the population is distributed according to the normal curve of error.

Table 22 gives the movement of population in the institutions for mental defectives in 1944. The net increase of feeble-minded persons on the books of the institutions was 1,223, or about 1.1 per cent,

TABLE 22

MOVEMENT OF POPULATION IN INSTITUTIONS FOR MENTAL DEFECTIVES, BY SEX, 1944<sup>1</sup>

TYPE OF MOVEMENT	ALL PATIENTS		
	Total	Male	Female
Patients on Books at Beginning of Year	113,577	59,192	54,385
In Institutions	98,341	50,597	47,744
In Family Care	667	175	492
In Extramural Care	14,569	8,420	6,149
Admissions	10,370	5,928	4,442
First Admissions	9,163	5,169	3,994
Readmissions	687	404	283
Transfers	520	355	165
Separations	9,147	5,389	3,758
Discharges	5,850	3,412	2,438
Transfers	1,074	767	307
Deaths	2,223	1,210	1,013
Patients on Books at End of Year	114,800	59,731	55,069
In Institutions	98,969	50,873	48,096
In Family Care	748	208	540
In Other Extramural Care	15,083	8,650	6,433

<sup>1</sup> *Ibid.*, p. 160.

during the year. The number on parole or otherwise absent from the institution at the beginning of the year was 13.4 per cent of the total on the books of the institutions; at the end of the year the corresponding figure was 13.8 per cent. However, the number in institutions is slowly increasing, which means that more beds are required. At the beginning of the year 1936 there were, in addition to the enrollment in state institutions, 818 persons in city institutions and 4,423 persons in private institutions for mental defectives.

TABLE 23

PATIENTS IN INSTITUTIONS FOR MENTAL  
DEFECTIVES AND EPILEPTICS PER 100,000  
POPULATION, 1936<sup>1</sup>

PATIENTS PER 100,000 POPULATION	NUMBER OF STATES
0-20	5
21-40	11
41-60	4
61-80	5
81-100	10
101-120	8
121-140	3
141-160	1

The relative adequacy of institutional capacity for mental defectives differs widely in the several states. The report of the Bureau of the Census contains an account of overcrowding in institutions for mental defectives. The institutional population ranges from 37.7 per cent under capacity in Montana to 55.0 per cent over capacity in Rhode Island, while the figure for the United States is 7.5 per cent in excess of capacity.<sup>2</sup> The variation in the ratio of patients in these two states is apparently due partly to a difference in commitment policy, because Montana has only 3.3 per cent of its patients in extramural care, while Rhode Island gives this type of care to 32.9 per cent of its patients. Furthermore, Georgia, Tennessee, and West Virginia have no patients in extramural care, while Utah has 49.2 per cent of its patients outside the institution.<sup>3</sup>

Unless it could be assumed that the proportion of mental defectives in the population of the several states varies widely, which would be unwarranted, it is clear that the public policy with reference to institutional care is by no means uniform in the states. Table 23 shows the great differences between various groups of

<sup>1</sup> *Ibid.*, p. 233.

<sup>2</sup> *Mental Defectives and Epileptics in Institutions*, 1936, p. 10.

<sup>3</sup> *Patients in Mental Institutions*, 1944, Table 66, pp. 178ff.

states in regard to the number of patients in institutions for mental defectives and epileptics per 100,000 population. Population rates for mental defectives alone are not given in the census report, and the ratio of epileptics to mental defectives under care is not constant. Consequently Table 23 is suggestive only so far as mental defectives are concerned, and the report for 1944 does not contain comparable data. However, it is obvious that the states have very different policies with respect to the public care of mental defectives.

The classification of first admissions as to grade of mental defects and by sex has some interest. Table 24 shows this distribution.

TABLE 24

FIRST ADMISSIONS OF MENTAL DEFECTIVES TO PUBLIC INSTITUTIONS BY GRADE OF DEFICIENCY, BY SEX AND BY MEDIAN AGE, 1944<sup>1</sup>

GRADE OF DEFICIENCY	BOTH SEXES		MALE		FEMALE	
	Total	Median Age	Number	Median Age	Number	Median Age
Total	8,262	14.1	4,675	13.6	3,587	15.0
Idiot	1,255	9.5	728	9.6	527	9.4
Imbecile	2,245	13.8	1,191	12.8	1,054	15.0
Moron	3,628	15.4	2,106	14.7	1,522	16.2
Unclassified	1,134	11.8	650	12.0	484	11.5

Theoretically, it is to be expected that the number of higher-grade feeble-minded in the population would exceed the number in the lower grades, and from the viewpoint of both constructive service to the individual and the eugenic interest, it is sound policy to give more attention to the higher grade. However, eight states show a higher number of imbeciles than of morons admitted in 1944: Idaho, Iowa, Kansas, Montana, North Carolina, South Carolina, Texas, and Washington.<sup>2</sup>

In the following states, the first admissions to public institutions included more females than males: Alabama, Maryland, New Jersey, Oklahoma, Pennsylvania, South Carolina, South Dakota, Utah, and Wyoming. However, the excess of females in two cases was only one patient,<sup>3</sup> which might be accidental. Idiots probably never reproduce, and imbeciles rarely have children. Popenoe, speaking of the feeble-minded male, says, "The conclusion must be that the feeble-minded male of the class committed to the Sonoma

<sup>1</sup> *Ibid.*, p. 202.

<sup>2</sup> *Ibid.*, Table 71, pp. 203ff.

<sup>3</sup> *Ibid.*

State Home [California], who would ever become a parent, is exceptional."<sup>1</sup> It would, therefore, seem to be an important point in public policy (1) to commit an increasing proportion of high-grade feeble-minded persons and (2) to commit proportionately more females than males as a means of reducing the birth rate among feeble-minded women.

The age of the mental defective at the time of admission to the institution is an important matter. Table 25 gives the median age of the various grades of mental defectives at the time of first admission.

TABLE 25  
MEDIAN AGE OF MENTAL DEFECTIVES ADMITTED  
TO STATE INSTITUTIONS IN 1944, BY SEX<sup>2</sup>

GRADE OF MENTAL DEFECTIVE	MEDIAN AGE	
	Male	Female
Total	14.3	15.9
Idiot	10.5	9.9
Imbecile	13.3	16.0
Moron	14.9	16.4

More than half of the female imbeciles and morons were admitted to the institutions after they had reached child-bearing age, while more than half of the female idiots were admitted before they had reached that age. It is also to be noted that with the exception of male idiots the median age of males at the time of admission was considerably lower than that of females; that fact again indicates the lack of a rational policy regarding mental defectives, because male defectives are less likely than female defectives to reproduce, and because they reach sexual maturity at a later age than females. There is a difference of 1.5 years between the median ages of male and female morons at the time of admission. It is the female moron who is most likely to reproduce either in or outside of marriage, and yet, while much zeal is apparently exerted in the states to commit the males at an early age, more than half of the females were admitted to the institutions after they could have had one or two children. From the viewpoint of training it is desirable to admit the male mental defective at an early age, but the female, especially the

<sup>1</sup> Quoted by Davies, *op. cit.*, p. 109.

<sup>2</sup> *Patients in Mental Institutions, 1944*, p. 202.



moron, should be admitted early both to facilitate training and to prevent reproduction.

### INSTITUTIONAL ORGANIZATION

A few institutions for mental defectives in the past have been mainly custodial, but the modern institution is a school. It is a school for a class of persons suffering a special handicap, just as the institutions for the blind and the deaf and dumb are schools adapted to the particular needs of these handicapped groups. If adults are kept in institutions, it is because they require custodial care; but the higher-grade feeble-minded children are placed there for educational purposes. Among the schools which have attained more than local reputation are Letchworth Village and the Rome State School for Mental Defectives in New York, the Walter E. Fernald State School in Massachusetts, and the Vineland Training School in New Jersey. The first state school for the feeble-minded was opened in Boston in 1848 under the direction of Dr. Samuel G. Howe, who for many years had been a leader in the development of methods for teaching the blind and the deaf. This school was later moved to Waverley and is now known as the Walter E. Fernald State School.

Because it incorporates recent architectural ideas, Letchworth Village will be used as an example of a modern school for the feeble-minded. Letchworth Village was established in 1909, and Dr. Charles S. Little, the superintendent, included a resumé of its history in his annual report, from which the following quotation is taken:

"Twenty-five years ago the management was faced with the problem of planning an institution that should care for 3,500 feeble-minded children, equally divided as to sex, of all ages and all degrees of mentality, and with adequate provision for 500 or so employees. Firmly believing that the large institution is a mistake, because of the difficulties of classification and of securing the right kind of a medical staff under civil service, and recognizing that the proper care of the mentally handicapped is a human problem and not primarily a business one, we decided to build six small institutions under one administrative head, rather than one large one.

"We assumed that our population would come to us with mentalities ranging from zero to ten or eleven years, and with chronological ages from six to fifty years. Consequently, two groups were planned—one for boys and one for girls—with mentalities below four and of all chronological

ages; two groups—one for boys and one for girls—mentally between four and eleven years and chronologically from six to sixteen years, who might be benefited by intensive school and industrial work; and two groups—one for boys and one for girls—mentally from four to eleven years and chronologically over sixteen years of age, who would do nothing but industrial work, either indoors or out. In working out this plan, a few main principles were kept in mind:

"First—That the groups for boys should be rather widely separated from the girls.

"Second—That each group for a given sex should be distinct from the rest.

"Third—That within a given group of buildings they should be so separated that the children of one building should not come in close contact with those of another.

"Fourth—That the buildings should be small enough to allow for reasonable classification—not more than eighty in a building.

"Fifth—That the whole should be so planned as to allow for reasonable architectural attractiveness, and the whole so fitted into the landscape that with the growth of trees and shrubs it would hardly be noticed as an institution.

"In developing a dormitory for children to live in, a one-story building was decided upon, for the reason that it is as cheap to build as a two-story dormitory holding the same number of children; it is much cheaper to maintain and your children are always out of doors. . . .

"Four of the groups are essentially alike, and consist of eight dormitories, a kitchen and two dining rooms—one for children and one for employees—a school and industrial building, an attendants' home, and a doctor's cottage. Two groups for the very low grade are also alike, consisting of a group of dormitories with a kitchen and dining room in each building, and an attendants' home.

"Besides the groups for children, there are the utility buildings, such as: laundry, canning factory, boiler house, store house, shops and garages; also a farm group with a horse barn for forty horses, a cow barn for 150 head of cattle, a dairy building, and a farm dormitory for the boys to live in who work in this group. There is a hospital of eighty beds for acute cases, with operating units, X-ray room and laboratories."<sup>1</sup>

The first children were admitted to Letchworth Village July 11, 1911. The types of personnel required to operate the institution were no less carefully planned than the architecture. There is a physician in charge of each group, whose business it is to know each child and

<sup>1</sup> *Twenty-Fifth Annual Report of the Board of Visitors of Letchworth Village, State Department of Mental Hygiene, New York, 1934, pp. 22, 23.*

each subordinate employee and to meet and know the friends and relatives who come to visit the children. There is a general matron for each group of dormitories, and a matron in each building manages the children and employees in her building. A head teacher is in charge of the school. There are chief industrial instructors for both boys and girls. A dietitian is in charge of all the kitchens. A steward is responsible for the business office. There is a chief engineer and a farm supervisor. The research department, whose personnel consists of physicians, psychologists, social workers, and technicians, is under the clinical director.<sup>1</sup>

Besides the employed staff there is a Board of Visitors with advisory functions, although the members of the board are persons of considerable prestige whose advice would have much weight. The Advisory Medical Board consists of ten specialists whose advice is available to the staff of Letchworth Village.

The types and numbers of personnel are an important index to the organization of an institution, but these data are not published by Letchworth Village. They are given, however, in the reports of the Bureau of the Census in combination with personnel in institutions for epileptics. Since the personnel at institutions for epileptics accounts for only a small proportion of the total personnel and since some types of personnel would be the same in institutions for epileptics and for mental defectives, Table 25, based on the census report, is not far from correct for institutions for mental defectives only. The personnel at Letchworth Village, however, is probably much more adequate than it is at the average American institution.

Some comparison with the personnel in the institutions for the insane is interesting. A larger number of the following types in proportion to patient population is found in institutions for the insane: physicians, graduate nurses, other nurses and attendants, and therapists. In institutions for mental defectives and epileptics the following types of personnel are more numerous in proportion to patients: principals and teachers and psychologists. A considerable proportion of both mental defectives and epileptics present almost exclusively a custodial problem, and the occupational pattern of the institutions indicates this. But this emphasis is exaggerated. These institutions need much higher proportions of specialized personnel to improve their program and to speed up movement of patient population.

<sup>1</sup> *Ibid.*, pp. 23 and 24.

The number of employees per 1,000 patients for individual states varies widely from the national ratios shown in Table 26. The lowest ratio was for Wisconsin, with 31.8 employees per 1,000 patients; and the highest was for New Hampshire, with 171.9 employees per 1,000 patients.<sup>1</sup>

TABLE 26

ADMINISTRATIVE STAFF, FULL-TIME, AND RATE PER 1,000 PATIENTS IN PUBLIC INSTITUTIONS FOR MENTAL DEFECTIVES AND EPILEPTICS, BY OCCUPATION AND SEX, FOR THE UNITED STATES, 1944<sup>2</sup>

OCCUPATION	EMPLOYEES			
	Rate per 1,000 Patients	Total	Male	Female
Total	113.8	15,467	5,000	6,549
Superintendents and Physicians	2.2	291	181	43
Psychologists	.4	57	10	31
Dentists	.3	43	31	2
Laboratory and X-ray Technicians	.4	51	7	24
Principals and Teachers	4.3	586	54	431
Graduate Nurses	2.4	320	15	175
Other Nurses and Attendants	50.1	7,804	2,091	3,749
Therapists and Assistants	2.1	283	100	104
Dietitians	.3	43	2	35
Social Workers	.7	98	3	60
Stewards	.5	79	61	11
Clerical Workers	5.1	793	92	482
All Other	45.0	5,019	2,353	1,402

### THE SCHOOL PROGRAM

Research during the present century in particular has made possible a more realistic program for the mental defective. The early alarmist attitude has given way to a recognition that we are not likely to become a nation of the feeble-minded, and that reasonable measures of social control afford adequate protection to the biological quality of the population while conserving the somewhat limited social value of the feeble-minded.

**Education of the Mental Defective.** Dr. Howard W. Potter states that, "It is important to recognize that educational technics are not necessarily limited to those concerned with the formal school room. They are concerned with the whole matter of establishing socially

<sup>1</sup> *Patients in Mental Institutions, 1944*. Ratios were derived from data in Tables 65 and 94, pp. 163ff and 234.

<sup>2</sup> *Patients in Mental Institutions, 1944*, p. 230. Ratios were derived by the author. See report for apparent anomalies in the table.

acceptable patterns of behavior and reaction, good habits of industry and application, and the acquisition of such special knowledge of a more formal nature in keeping with the needs and limitations of each patient. Thus practically every person in the institution, whether formally classed as a teacher or not, contributes in some part to the education of the individual child."<sup>1</sup> Consequently, ordinary academic education plays a relatively minor role in the training of the idiot and some of the lower-grade imbeciles; all that can be expected, and in some cases not that much, is that these low-grade classes will learn to take care of their simple physical wants and learn to live amicably with other people. The higher-grade imbeciles and the morons can be trained to read and write a little, and they can learn simple occupations, as well as acquire acceptable social habits and habits of industry.

But two or three mass programs in a school, fitted to the two or three recognized grades of feeble-mindedness, are not sufficient. Dr. Walter E. Fernald, after 37 years at the school at Waverley, Massachusetts, proposed and utilized a ten-point scale for the individualization of the patient. In his opinion it was necessary for the school to have an understanding of each patient from the following angles: physical examination, family history, personal and developmental history, school progress, examination in school work, practical knowledge and general information possessed by the patient, social history and reactions, moral reactions, and mental examination.<sup>2</sup> A case record for each child or adult must be built up and kept up to date. This is social case work within an institution. It has larger proportions of teaching and control than ordinary case work, but these characteristics only indicate that it is specialized.

The mental defective needs a regular routine for meals, rest, work, recreation, and sleep. What would seem monotonous to average people is not so to him. After the institutional routine becomes familiar and is practiced for a considerable time, the individual finds it satisfying. Simple habits of honesty and loyalty to a job can be so fixed that they can be counted upon almost as much as reflexes—conditioned reflexes, obviously, but thoroughly dependable. There is a popular impression which is rather widespread that the imbecile or the moron is a dangerous person—that the male is especially

<sup>1</sup> With reference to Letchworth Village. *Twenty-fifth Annual Report (op. cit.)*, p. 53.

<sup>2</sup> From Davies, *op. cit.*, p. 186.

prone to attack children and women. That is an unfounded illusion. If a mental defective is neither psychotic nor epileptic, he is as harmless as a child of his own mental age, and if he is properly drilled in simple habits he is just as loyal and dependable. Female mental defectives learn such work as laundry, simple sewing, operating a loom, cooking, waiting on table, and general housework; once they have thoroughly learned these simple occupations under sympathetic guidance they do not forget.<sup>1</sup>

**Parole and Discharge.** In the states with the best-developed systems of care of mental defectives the patient is carefully studied all during the time he is getting his training, and parole comes as a logical consummation of his career in the institution. It is a sort of graduation but with a condition attached to the diploma; if he fails to make satisfactory adjustments he may be brought back instead of discharged. At the end of 1944 there were 15,831 mental defectives on parole, but only 5,264 persons were discharged by institutions. Idiots may be safely discharged as soon as the institution has done what is possible toward the development of personal habits. There is little probability that either the males or females will reproduce; but if the idiot returns to his family, his presence may so disrupt family life that this procedure would be unwise from the viewpoint of public policy. The parole and discharge of the imbecile and the moron, even when they have good homes to which to go, are more complicated. Popenoe believes that the males rarely reproduce; but the females really reproduce, either in or out of wedlock, at a rate higher than that of the general population—a fact amply substantiated by the evidence.<sup>2</sup> Hence, when the mental defective is being considered for parole or discharge, the authorities have to think not only of the patient's economic welfare but also of the possibility of reproduction.

Out of 5,264 discharges reported by the Bureau of the Census in 1944, no idiot was listed as capable of self-support, and only two were believed to be capable of partial self-support. Of the imbeciles 54.2 per cent were believed to be capable of full or partial self-support, and 85.6 per cent of the morons were believed to be able to support themselves in whole or in part. A somewhat higher proportion of male than female imbeciles showed employment possibilities, but among the morons the females had much better prospects of self-

<sup>1</sup> For various experiments in training defectives, see Davies, *op. cit.*, chs. XII-XIV.

<sup>2</sup> See Davies, *op. cit.*, pp. 72-76, 176-177.

support than males. This may be an important consideration. Most discharges are preceded by a period of parole, but the small number of social workers employed by most institutions is quite inadequate for a satisfactory follow-up service; a successful parole leading up to discharge depends more upon the unaided efforts of relatives or friends than upon assistance which might be given by social workers. The number of paroles and discharges could probably be greatly increased if the institutions had in their employ a sufficient number of social workers for field supervision.

But few states are likely to spend enough money on personnel to provide supervision of parolees. A plan with more assurance of success would involve co-ordination of institution service with the county departments of public welfare. If the institution could count upon local supervision by local public welfare workers, as a part of their regular duties, the paroled defective could be given the kind of social case-work supervision which would be most constructive.

**Sterilization.** The community and the state are concerned not only with the ability of the defective to support himself but also with the possibility that he (and more often she) may have children who will be dependent because of the parent's limited ability to support them or because of the low mentality of the children. It was pointed out above that mental defect is probably due to heredity in only about half the cases, but whether the condition of the patient is due to hereditary weaknesses or to environmental causes he is as incapable of taking care of himself economically and socially in the one case as the other. Few would object to the sterilization of mental defectives who inherited their defect, but more would hesitate in regard to persons whose defect had only environmental causes. Since less than one fourth of all mental defectives discharged from institutions are expected to be fully self-supporting and a smaller proportion still would be able to support a family, it would probably be an advantage to the state to have all of them sterilized. That, however, is not necessary, because the idiots do not reproduce and very few male imbeciles ever have children. Popenoe has also observed that only a small proportion of the male morons reproduce or show interest in the opposite sex, and he believes that if the state policy such as exists in California is to prevent reproduction of defectives, only a few carefully selected males need be sterilized. On the other hand, illegitimacy and dependency would be reduced in the community by sterilization of all female imbeciles and morons.

Sterilization by the relatively simple operations of salpingectomy in the female and vasectomy in the male prevents reproduction but does not alter secondary sex characters. Some have feared that, because the danger of pregnancy is removed after these operations, the sterilized defectives would become promiscuous in their sex relations and spread venereal disease. Popenoe gave particular attention to this question in his follow-up study of persons who had been sterilized under the California law. He found hardly any evidence of it among the males, and among the females only about 8 per cent had shown a marked tendency toward sexual promiscuity.<sup>1</sup> If the female is kept in the institution until she has passed adolescence and has had a carefully organized training experience, she is likely to show little tendency toward sexual misconduct.

The case for sterilizing all defectives who are likely to reproduce does not, therefore, rest upon proof in each case that mental defect is due to poor heredity. Mental defectives are a social and economic liability to the state, and if they have children, whether defective or not, they are more than likely to be liabilities to the state, because in any case they would have to grow up in a home that in most cases is poor from every point of view. Sterilization of a limited proportion of mental defectives is a means of preventing dependency and the unnecessary multiplication of squalid homes.

### QUESTIONS

1. Why do the feeble-minded constitute a public problem?
2. How is a mental defective admitted to a state institution?
3. Could we determine the number of mental defectives among children at any one time?
4. How do you account for the great differences in the number of mental defectives under care in the several states?
5. Discuss the grades of mental deficiency.
6. What importance has the age of commitment of mental defectives?
7. What types of personnel are needed in institutions for mental defectives?
8. Outline a plan of training for a mental defective, moron grade.
9. What should be the procedure for deciding to grant parole, and the plan of supervision?
10. What is the function of sterilization in a program for the care of the feeble-minded?

<sup>1</sup> See Davies, *op. cit.*, pp. 109, 110.



## CHAPTER XII

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### CARE OF DEPENDENT CHILDREN

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Child welfare has become one of the most widely accepted categories of public welfare services. Special care of needy children is one of the oldest forms of American public welfare administration, but in recent decades medical, psychological, and social research has revealed its supreme importance to the nation. The child has all of his life to live, and, if he is not a low-grade feeble-minded person or a hopeless cripple, he is a potential asset to his community. Child welfare services represent the attempt of the organized community to supply the needs of children who through fortuitous circumstances have been deprived of equal opportunity to grow and to become useful citizens. Some children are completely dependent upon the community for food, clothing, and shelter, but many others have these minimum necessities and need certain special services. Children need the affectionate interest of their own family and sufficient material resources for physical health and reasonable comfort. Lacking these for any reason, children must be supplied with them by the community in ways which as nearly as possible approximate the conditions of a good family home. Adequate care of a dependent child often prevents delinquency, in addition to assuring normal physical and mental development.

#### ORGANIZATION

Public welfare services for children are usually organized as a part of the general welfare program, though this is by no means universally the case. Most states provide in some form all of the following services: "aid to dependent children," schools for the deaf and blind, training schools for delinquents, institutions for dependent children, foster-home care, probation for juvenile offenders, and certain special medical services. A few states have begun to give attention to ap-

prenticeship (not the binding-out practices of an earlier period), but the steps so far taken are mainly regulatory.

**Federal.** The federal government provides services to the child directly only in the case of juvenile offenders against federal laws; for these both probation and institutional services are provided. But the major child welfare activities of the federal government are concerned with assisting the states to provide services. The Children's Bureau in the Federal Security Agency was the first regular agency created by the federal government for child welfare purposes. At first this bureau was exclusively concerned with research and the publication of the results of studies. Since its beginning in 1912 it has made hundreds of studies of problems relating to children; these studies have perhaps done more than anything else to bring the public to a realization of the importance of child welfare. In 1916 the first federal child labor law was passed, and it became the duty of the Children's Bureau to administer this act.<sup>1</sup> Other duties were given the bureau from time to time, but it was not until the passage of the Social Security Act in 1935 that its responsibilities were greatly extended. Under this act the Children's Bureau is responsible for the administration of maternal and child-health services, services to crippled children, and child welfare services.<sup>2</sup> The bureau approves state plans for these various services and authorizes the payment of funds to those states which present satisfactory plans.

While the public thinks of the Children's Bureau as being *the* children's agency of the federal government, other agencies of the national government do as a matter of fact provide important services for children. The Bureau of Public Assistance of the Social Security Administration gives the aid to dependent children which is provided by Title IV of the Social Security Act. Aid to dependent children is organized as a division in this large Bureau. Some of the work of the United States Public Health Service, especially that concerned with communicable and deficiency diseases, is in the interest of child health. The public did not think of the Works Projects Administration as in any sense a child welfare agency; yet by the wages it paid to heads of families, it determined the economic standard of living of several hundred thousand children in the country. Probably no other federal agency except the Social

<sup>1</sup> This act was held unconstitutional in June, 1918, in the case of *Hammer v. Dagenhart*, 247 U. S. 251.

<sup>2</sup> Title V, Parts 1, 2, and 3.

Security Administration affected the lives of so many children directly as did the W.P.A.

**State.** The state agencies dealing with children are usually in the department of public welfare, but there are numerous exceptions. The typical state department of public welfare has a division or bureau of child welfare which licenses and supervises in varying degree the local institutions for children, supervises the placement of children in foster homes, may administer aid to dependent children, and often has some supervisory relation to state institutions for children. However, the administrative unit designated for child welfare may not either administer or supervise all services for children. The schools for the blind and deaf in Illinois are administered by the State Department of Public Welfare, while in Indiana they are only supervised by the State Department. In Texas these institutions are administered under the direction of the Board of Control. In certain other states each institution is responsible directly to the governor and is administered by a superintendent or a board.

The power and the duty of the state to inspect and to supervise (with at least limited powers to make rules and issue regulations) are indispensable to the development of reasonably uniform standards of service and administration. Excepting the powers over liberty and property which properly belong to the courts, all control of child welfare services should rest in a child welfare agency which is a unit in the larger welfare organization. Then if the value of good personnel is appreciated and the recruitment and appointment of employees is protected by civil service laws or special legislation, the organization of child welfare services is more likely to be adequate to the development of a satisfactory child welfare program.

**Local.** Local child welfare services may be administered by the state, supervised by the state, or independent of the state public welfare agency. These local services usually include "aid to dependent children," maintenance of the child in a foster home, and institutional care. In order for a state to receive federal funds for "aid to dependent children" the state law must provide for its administration independently of the courts; the child is not made a ward of the court, as he was under the old mothers' aid statutes. State financial participation and supervision of aid to dependent children is required by the Social Security Act in order to qualify the state for federal grants-in-aid, but in a number of states, such as Rhode Island and Texas, the local agency is an administrative

branch of the state agency. If the state only supervises local administration, then the county welfare board, commission, or department administers the program subject to the rules and regulations of the state agency. Foster-home placement is usually preceded by making the child a ward of the court, and it is administered and the child is supervised by an employee of the court or of a county welfare agency. In all large cities there are many private child-caring agencies to which the law may permit the court to commit dependent children, in which case a per diem allowance of money out of public funds may be made by the court to the agency. Increasingly the state is acquiring authority to determine standards of service of the local child-caring agencies.

The placement of children in institutions was during most of the nineteenth century the accepted way of providing for dependent children. States built special institutions for soldiers' and sailors' orphans and occasionally institutions for other children, but the typical institution was a county, municipal, or privately operated home for children. At the close of the century the movement for placement in family homes was getting under way, and the pioneer work was done by private agencies. Now the placement of a child in an institution, public or private, is deliberate and the result of a consideration of the interests of the particular child. The growth of aid to children in their own homes or the homes of near relatives has greatly affected the institutional organization for child welfare. The local public institution may be under the county or municipal department of public welfare, or it may be responsible directly to the juvenile court or the county commissioners or supervisors.

We are not accustomed to think of the work of local general relief authorities as including care of dependent children. Yet the recent survey of health and welfare services of Greater Boston showed that in the general relief case loads of 18 town and city departments of public welfare, about 42 per cent of the persons receiving assistance were under 18 years of age.<sup>1</sup> It is obvious that A.D.C. leaves out many needy children.

#### CHILDREN IN RELIEF FAMILIES

Children receive material aid through poor-law agencies, including now and then almshouses, emergency-relief agencies, and work-

<sup>1</sup> Greater Boston Community Survey: *Report on Public Welfare Services*, by R. Clyde White, Chief Public Welfare Consultant, p. 36, 1949.

relief agencies. The exact number receiving assistance at any one time in a state or the nation is not known, but some estimates have been made which give an idea of the magnitude of the problem. Children are affected differently by general relief and work relief, and the number affected by each is immense.

**General Relief.** General relief includes material aid given under the old poor laws and unemployment assistance of the kind given under the Federal Emergency Relief Act and a few of its successors in the states. The township trustee ordinarily gives relief in cases of obvious destitution, but gives as little as possible. The kind of unemployment assistance which came in the wake of the F.E.R.A. is based upon a minimum budget which is deemed adequate to maintain the physical health of all members of the unemployed worker's family. Too often the budget is just a paper budget. For example, the Chicago Relief Administration has from the beginning had a standard budget plan for families of varying size, but during 1939 the case workers were given orders to allow only 65 per cent of the standard budget, and only the occurrence of a slight improvement in business prevented its being reduced to 55 per cent of standard. Under such circumstances a minimum subsistence budget has no meaning beyond the fact that the administration recognizes how much it takes to maintain parents and children in health. When unemployment assistance becomes so meager, the material standard of subsistence is little better, if as good, as poor-law relief.

The number of children in families receiving general relief can only be suggested. The Temporary Emergency Relief Administration of New York estimated that in June, 1934, approximately 847,000 children were receiving general relief.<sup>1</sup> On December 31, 1935, the number of children in receipt of public aid designed for children was 99,355 (delinquents, blind, and deaf omitted) in New York state.<sup>2</sup> The number of children receiving general relief at the end of 1935 was not known, but in view of the improvement in employment conditions and the increased facilities for special aid to children it was probably less than it had been a year and a half before. However, it was probably still several times as great as the number receiving special aid for children. Between April 1, 1935, and March 31, 1936, a total of 629,981 persons received public relief in Massachusetts, but 464,192 of these received relief because of

<sup>1</sup> *Seventieth Annual Report of the State Board of Social Welfare*, 1937, p. 47.

<sup>2</sup> *Ibid.*, p. 48.

unemployment, and the state found the expense of breaking the latter number down by age and sex unjustified. However, the remainder, amounting to 165,789, was analyzed, and it was found that 24.1 per cent were under 15 years of age.<sup>1</sup> The old Works Progress Administration undertook studies of the composition of the relief population at various times. Several of these have been based upon the experience of thirteen cities with an aggregate population in 1935 of about 9,104,000. In December, 1934, about 1,276,600 were receiving relief, of whom 38.4 per cent were children under 16 years of age. In the same month of 1935 1,137,300 were on relief, of whom about 38.0 per cent were under 16 years of age.<sup>2</sup> The Massachusetts percentage of children is lower than that found in the W.P.A. study for two reasons: first, it is based upon children under 15, whereas the W.P.A. figures are based upon children under 16; and, second, 30,636 persons receiving old-age assistance were included in the households receiving public relief in Massachusetts for reasons other than unemployment, and in these households there would be few, if any, children under 16 years of age. We may, therefore, conclude that about one third of persons who receive general relief are children under 16 years of age.

The number of cases on general relief reported by all states to the Federal Security Agency in April, 1939, was 1,724,935. The typical case includes father, mother, and one or more children, although there are a large number of cases in which one parent or the other is missing or in which there is no child. However, if about one third of the persons receiving relief are children under 16 years of age, then the number of cases is about equal to the number of dependent children in the families. Hence, these cases involve the welfare of about 1,725,000 children under 16 years of age.<sup>3</sup>

The seriousness of this condition can be realized only when it is recognized that children need case-work services even more than adults during the time they are receiving material relief. The traditional poor-law officials rarely provide case-work service, and the case loads of the unemployment assistance agencies have usually been so large that, even if qualified case workers were employed, they could give little case-work service. The children in relief fam-

<sup>1</sup> *Annual Report of the Department of Public Welfare for the Year Ending November 30, 1936*, Parts I-III, pp. 141, 142.

<sup>2</sup> F. L. Carmichael and R. Nassimbene, *Changing Aspects of Urban Relief*, 1939, pp. 1, 45.

<sup>3</sup> Data on relief cases from *Social Security Bulletin*, Vol. 2, July, 1939, p. 60.

ilies suffer not only from inadequate budgets but also from a lack of other services which are essential for the normal development of a child.

**Work Relief.** The number of children in families, one or more members of which had W.P.A. employment, is not known. The administration was so bent upon thinking of W.P.A. employment as real employment and not a form of relief that it neglected some of the important social problems of the work-relief families. Little or no case-work service was provided. The age distribution of the workers is known, but not the age distribution of their dependents. The "security wage" was determined by the kind of work the individual did. A certain amount of variation occurred in any class of workers, due to the estimated budget requirements of the family, but the wages per month could never exceed the maximum which was usually fixed. The result was that large families subsisted at a level below a standard of "decency and health." In April, 1939, the number of workers on projects operated by the W.P.A. and projects operated by other federal agencies was 2,786,294.<sup>1</sup> While the number of children dependent upon each of these workers is not known, it would perhaps be a safe guess to say the average was not less than one, and that the total was about the same number of children as of W.P.A. workers.

**Summary.** If we add the estimates of the number of children in general-relief and in work-relief families in 1939, we get about 4,511,000. That is four or five times as many children as were receiving any form of special aid to children, and in a large number of cases this aid was undoubtedly at a much lower standard for material relief as well as case-work services. Either the number of children in the special forms of service should have been greatly increased or children in relief families should have been provided with more adequate budgets and case-work services.

#### SPECIAL ASSISTANCE TO CHILDREN IN FAMILY HOMES

For the most part, special assistance to children in family homes is of two kinds: aid to dependent children in their own homes, or what formerly was called "mothers' pensions" or "mothers' aid"; and foster-home care in the homes of families other than near relatives. Certain general aspects of aid to dependent children were discussed in Chapter VIII, but some of the statistical material is

<sup>1</sup> *Ibid.*

discussed here because of its relation to the general subject of dependent children.

**Aid to Dependent Children.** The phrase, "aid to dependent children," when used in this book has specific meaning. It refers to the federal-state form of aid to dependent children in their own homes which was created by Title IV of the Social Security Act. Obviously it may also be used to refer to the mothers' aid laws of a few states which have been backward in adopting the larger program made possible by the Social Security Act. In May, 1939, the program for aid to dependent children had not been adopted by Alaska nor by the following states: Connecticut, Illinois, Iowa, Kentucky, Mississippi, Nevada, South Dakota, and Texas. The Social Security Act provides, under the 1947 amendments, that the federal government will match state payments to dependent children up to half of \$27 a month for the first child in the family and half of \$18 a month for each additional child in the family. Some states pay more than these amounts, but in those cases the state pays all above \$13.50 for the first child and all above \$9 for each additional child. Title IV does not set up a "widows' pension" plan nor a "mothers' aid" plan. Aid to dependent children is public assistance on a needs basis to a child "under the age of sixteen, or under the age of eighteen if found by the State agency to be regularly attending school, who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental disability of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, or aunt, in a place of residence maintained by one or more of such relatives as his or their own home."<sup>1</sup> Thus it is broader than the older forms of care of children in their own homes and brings a larger number of needy children under it. It is not available to children whose parents are deprived of income because of unemployment or other temporary condition, but only to those whose deprivation of support appears to be of prolonged duration.

The amount paid per family varies widely among the states, and the number of children receiving aid per 1,000 children under 16 years of age is very uneven among the states. Table 27 gives this information. At the extremes in the amounts per family were \$105.57 in California and \$25.61 in South Carolina. The highest number of recipients of aid per 1,000 children under 18 years of

<sup>1</sup> Sec. 406 (a) of Title IV of the Social Security Act, as amended.



age is found in Oklahoma, and the lowest number in Nevada. In general, the western states have high A.D.C. rates and the southern states have low rates. The national average per family was \$63.01, and the average number of recipients per 1,000 children under 18 was 24.

TABLE 27

NUMBER OF RECIPIENTS OF AID TO DEPENDENT CHILDREN PER 1,000 CHILDREN UNDER 18 YEARS OF AGE, AND THE AVERAGE AMOUNT OF THE MONTHLY ALLOWANCE PER FAMILY, BY STATES, DECEMBER, 1947<sup>1</sup>

STATES IN DESCENDING ORDER OF RATES	RATES PER 1,000	AVERAGE ALLOW- ANCE	STATES IN DESCENDING ORDER OF RATES	RATES PER 1,000	AVERAGE ALLOW- ANCE
United States	24	\$63.01	South Carolina	21	\$25.61
Oklahoma	74	\$35.92	Maine	20	79.47
Florida	50	44.47	New Hampshire	20	80.18
New Mexico	47	48.03	Minnesota	19	68.58
Missouri	47	30.81	Massachusetts	19	104.98
West Virginia	39	40.73	Vermont	19	46.67
Louisiana	36	39.47	North Dakota	19	76.35
Tennessee	35	44.51	Nebraska	19	73.95
Washington	32	96.99	Wisconsin	18	84.86
Pennsylvania	32	72.07	Indiana	18	48.51
Colorado	32	76.77	District of Columbia	17	74.39
Rhode Island	30	78.21	Oregon	17	98.54
Kentucky	29	34.27	Mississippi	17	26.35
Arkansas	29	35.45	Texas	17	38.31
Montana	29	70.08	North Carolina	16	34.98
Utah	28	92.76	Iowa	15	67.51
New York	28	100.62	California	14	105.57
Arizona	28	48.11	Georgia	14	34.34
Michigan	26	77.52	Wyoming	13	85.63
Idaho	26	79.39	Virginia	13	41.53
Maryland	24	72.52	Connecticut	13	94.06
Illinois	24	83.10	Ohio	12	66.29
Kansas	22	71.28	Delaware	11	72.81
Alabama	22	31.23	New Jersey	9	80.54
South Dakota	22	45.57	Nevada	3	32.63

**Foster-Home Care.** While A.D.C. prevents the breaking up of families for no other reason than poverty in the case of those children

<sup>1</sup> *Recommendations for Social Security Legislation*, Report of the Advisory Council on Social Security to the Senate Committee on Finance, pp. 121-122. Washington: Government Printing Office, 1949.

who have parents or near relatives who are able and willing to take care of them, some children have nobody who can be regarded as suitable to take care of them or who stands in the proper degree of consanguinity to permit the payment of A.D.C. There is no disagreement among child-welfare workers over the principle that a family home is the best place for a child. For several decades the management of children's institutions has been developing "placement programs." The "home finder" has become a regular member of the institution staff. The homes in which children are placed may be free homes, boarding homes, or adoptive homes. The best institutions make careful social, psychological, medical, and sometimes psychiatric studies of the children committed to them, and the home finder attempts to find homes which will be congenial to the placeable children. The prospective new home for the child should be studied as carefully as the child; the home and the child must be suitable to each other for good results. Temporary placements are often made in free homes or boarding homes when there is severe illness of the mother or father or some other exceptional situation arises which makes it unsatisfactory for the child to stay in his own home for a period of time. Older children may be placed in homes where they do some work for their maintenance; these are known as "work or wage homes."

The United States Bureau of the Census collects information periodically on children in institutions and foster homes. Reports from the 48 states and the District of Columbia showed that 292,397 children were under care at the end of 1933. Of these 140,352 were in institutions and 102,577 were in foster homes. The proportions were 48 and 35 per cent respectively. Of the children in institutions, 54.3 per cent were in private institutions; 82.4 per cent of those in free homes were under private auspices; 15.6 per cent of those in boarding homes were under private auspices; and 82.0 per cent of those in work or wage homes were under private auspices.<sup>1</sup> The Children's Bureau recently reported that under public programs in 35 states, 35 per cent of the children receiving service were in foster homes and 15 per cent were in institutions.<sup>2</sup> It is the public agency which is using the boarding home most extensively; the costs may

<sup>1</sup> *Children under Institutional Care and in Foster Homes, 1933*, U. S. Bureau of the Census, 1935, pp. 4, 60.

<sup>2</sup> "Children Served by Public Welfare Agencies and Institutions, 1945," p. 8, Children's Bureau *Statistical Series*, No. 3, 1947.

be paid either by the local government or by the state government.

### CHILDREN'S INSTITUTIONS

Institutions for dependent children have been passing through a period of rapid change of function. Throughout a large part of the nineteenth century institutional care was regarded as the most acceptable way of caring for children who have been deprived of parental support for one reason or another. More children received aid under the poor law, of course, but neither the public nor the officials were sufficiently aware of the child-welfare category to think of poor-law care as often deleterious to the child. In colonial days and for many years afterwards it was common to indenture a child of poor parents to the highest bidder; this often presumed that the person to whom the child was given would give him apprenticeship training. But about the time of the Civil War the value of the foster home for the child, rather than for the benefit of the foster parents, was beginning to be recognized. An early report of the Massachusetts Board of State Charities refers to the transfer of children from an institution to foster homes in these words: The education of pauper children "under the Primary School Act of 1866, is to be carried on at Monson until they can be placed in the better school of a good Massachusetts family, where they can learn thrift and self-respect, and manifold lessons that are seldom taught in great establishments. . . . As a general rule, the persons who now take children into their families from the State institutions, do so primarily for their own advantage, and only secondarily, if at all, for the good of the child; but it frequently happens that the child who was taken as a servant secures a place in the affections of the family taking him, and so the connection ceases to be a mercenary one."<sup>1</sup> This sort of a home would now be called a "working home"; it was not a boarding home for which payment was made out of public funds in order to provide the child with normal family life. The placement of children in free homes and working homes was done, first, to relieve the institution, and therefore the public treasury, of the burden, but the welfare workers came to recognize positive values to the child when placed in a suitable home. Thus the movement of children out of institutions and into homes began.

<sup>1</sup> *Fifth Annual Report of the Board of State Charities of Massachusetts*, January, 1869, Public Document No. 17. Cited by Grace Abbott, *The Child and the State*, Vol. II, pp. 38, 39.

**Size of Institutions.** Most children's institutions are very small, but of those from whom the Bureau of the Census received report in 1933 a considerable number had over 100 children each at the time of the census. Of the 2,280 institutions reporting to the bureau only 441 were public institutions.<sup>1</sup> The average number of children per private institution was about 41, and the average number per public institution was about 145. The states with the greatest number of public institutions were Massachusetts with 90, New York with 65, Ohio with 72, and Pennsylvania with 42.<sup>2</sup>

The movement to establish children's institutions during the nineteenth century was an effort to remove children from the almshouses. It represented a great step forward at the time. But with the discovery of the values of foster-home placement the functions of the institutions changed. They became for normal, healthy children places for temporary care until a family home could be found—for many children they were little more than detention homes, although that term is generally reserved for an institution which receives delinquent children until disposition of the case is made by the court. Subnormal children tend to remain in the institution, and their percentage of the total children in the institution increases; it is more difficult to find family homes for them, but many of them have been placed in boarding homes. Since the expansion of the early mothers' aid programs into the present federal-state plan for aid to dependent children, many children who formerly would have been taken from their parents and put into institutions are kept in their own homes. That has been a reason for declining populations in children's institutions. The New York Board of Social Welfare reported in 1937: "During the twenty-five year period the number of children in institutional homes decreased from 32,475 in 1911 to 23,667 at the end of 1935 or 27.1 per cent. Those cared for in free foster homes of all kinds decreased from 11,113 to 3,394 or 69.5 per cent, while those cared for in foster homes at board increased from 3,783 to 20,286 or 436.2 per cent."<sup>3</sup> The institution is becoming a place where the child may find a temporary home while the staff is studying his characteristics and needs and locating a suitable family home for him. In the institution the child will get medical care and will

<sup>1</sup> *Children under Institutional Care and in Foster Homes*, pp. 1, 63-124. The bureau cautions against assuming too much accuracy for the returns.

<sup>2</sup> *Ibid.*, pp. 84-86, 97-98, 105-106, 109-110.

<sup>3</sup> *Seventieth Annual Report of the State Board of Social Welfare*, State of New York, 1937, p. 47.

continue going to school while a foster home is being located for him; when a home is found, he is transferred, enters school, and receives such services as he may need and as the agency authorizes, or such as are available in the community.

After the A.D.C. program has had time to develop fully and the new state children's agencies have become well established, it is probable that many children's institutions will have no further usefulness. This situation is more serious in those states which have been subsidizing private institutions. The New York Board of Social Welfare has stated this problem pointedly: "The financial reports of child-caring institutions show that in many of them payments from public funds for the care of children as public charges are an important source of income. The practice of making payments to institutions under private control for the care of children as public charges has been followed in New York more extensively than in any other state with the result that relying upon this source of income, numerous institutional homes for children have been established and have extended their facilities to meet what seemed to be a permanent need, but now find that as social work for children has developed in recent years, they face a serious financial problem and have on their hands institutional facilities far in excess of present demands upon them."<sup>1</sup> This problem of turning children's institutions to other uses or abandoning them faces the public welfare departments as well as the private boards. Unless the buildings can be used for other purposes, large capital investments will depreciate and disappear, but these "vested interests" of state and local governments and the private boards cannot be allowed to jeopardize the new methods of child welfare which are better for the child. It is clear that this problem is more serious for private than public institutions, and especially for those which have been subsidized.

**Inspection and Licensing.** In all states there is some agency which has the power to inspect children's institutions. It may be the juvenile court, or it may be a county or state administrative agency. Certain conditions are always stated in the articles of incorporation of a private institution or in the law which created a public institution, but in the past the difficulty has been that inspection was irregular. A charter could generally be withdrawn only upon proof, in a court, of flagrant abuses or neglect. That was unsatisfactory, first, because the courts have little competence to determine the

<sup>1</sup> *Ibid.*

adequacy of professional standards of child care, and, second, because an influential board could often obtain a favorable decision from the court through the sheer weight of its personnel. "What is needed," said Grace Abbott, "is a method of securing progressive improvement in institutions or agencies whose practices do not measure up to the best standards. For this an annual licensing system has proven the most useful device."<sup>1</sup> If the license must be renewed each year, annual inspection becomes a routine procedure and arouses no opposition. It is equally clear that the state department should have the right to inspect local public institutions and to require the maintenance of minimum standards. In thirty-six states the state department has the power to license private institutions.<sup>2</sup> The possession of this power by no means implies that the state renews the license annually; once licensed, the institution may be licensed in perpetuity. Regular inspection by competent child-welfare workers of the state department at least once a year and the issuance of one-year licenses are the most important devices for maintaining and improving standards of care in institutions, whether they be public or private.

### QUESTIONS

1. Why is the care of dependent children of particular importance to the public?
2. Describe the organization for the care of dependent children in your state (1) at the state level or (2) at the county level.
3. How many children in your county are being cared for by general-relief or work-relief agencies? Compare this with the number receiving care under the special children's programs.
4. What principles determine whether a child shall receive A.D.C. or foster-home care in your community?
5. What has been the trend of the number of children under care (1) in institutions and (2) in foster homes in your state for the last 25 years?
6. How do you account for the differences in average amounts of A.D.C. in the several states?
7. How do you account for the relative importance of private institutions for children in your state and in some neighboring state?
8. Discuss the use of inspection and licensing of children's institutions by the state department of public welfare.

<sup>1</sup> Grace Abbott, *The Child and the State*, Vol. II, pp. 18, 19.

<sup>2</sup> Lowe, *State Public Welfare Legislation*, pp. 158-174.

## CHAPTER XIII

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### TREATMENT OF THE JUVENILE DELINQUENT

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A juvenile delinquent, as defined by the law and the courts, may be a child who has violated the law, or he may be one who is in "danger of becoming delinquent." The court may take under its care a child whose family is not satisfactory or whose associates are undesirable, and it may put such a child on probation or commit him to an institution although the child has violated no law. Legally any child is a delinquent who is treated as delinquent by the juvenile court. The aim of the laws affecting juvenile delinquents and juvenile courts is to provide early treatment of behavior problems or changes in environmental conditions which may lead to delinquency. It is assumed that if this can be done many children will be diverted from the path which leads to adult crime and imprisonment. This viewpoint distinguishes the juvenile delinquent from the adult offender. The adult offender is a person beyond juvenile-court age who has violated the law and has been convicted of such violation or has pleaded guilty to the charge of violation. The juvenile delinquent is legally not a criminal; he is a misguided or unguided youth who must be taken into custody by the court and given some special education either in the community or in an institution.

The treatment of the juvenile delinquent is, therefore, a problem of special education. His behavior patterns are not yet fixed, and presumably he is more teachable than an adult. The educational program designed to transform a delinquent into a properly behaved youth may include academic training, recreation, vocational training, work, and for disciplinary purposes a fixed daily routine. But the aim is always to see that the child finds satisfactions in life—on the assumption that he will want to do what gives him pleasure and will want to avoid behavior which may bring restraint and reduction in satisfying activities. Obviously, many judges, probation officers, and training schools have very crude ideas of how to achieve this

end, but the aim of enlightened agencies dealing with juvenile delinquents is to reconstruct the behavior of these young people by means of a specially designed educative process.

### THE COURT HEARING

The first juvenile court law was passed in Illinois in 1899. Circuit and county courts were given jurisdiction in the cases of children under 16 years of age. This movement spread rapidly, and by 1919 all states except Connecticut, Maine, and Wyoming had juvenile court laws.<sup>1</sup> Wyoming, when it passed the juvenile court law in 1945, was the last state to provide juvenile courts. Connecticut now has a very creditable juvenile court system operated by the state government through three judicial districts. From the beginning these courts have had original jurisdiction in dependency, neglect, and delinquency cases of all persons under the age specified by the law. The juvenile court is not a criminal court but a court which applies the principles of equity. If the parent, the guardian, or the child demands a trial by jury, that constitutional right cannot be denied, but in practice it is rare that a juvenile case is presented to a jury. Normally the procedure is informal. A summons is issued to the adult responsible for the child or, if necessary, a warrant may be issued for the arrest of the child. In the more intelligently conducted juvenile courts every effort is made to remove the conventional trappings of court procedure and the courtroom; the aim is to create the atmosphere which is associated with a clinic. Needless to say, more courts lack such arrangements than have them.

**Case History.** Before the child is brought into court, a preliminary study of the case should be made by a social case worker. The petition always states why the petitioner believes the child should be brought to court and gives certain information about the child, his family, and perhaps the neighborhood, but this is quite inadequate for giving the judge an understanding of the case. In some courts certain employees are known as investigators, but in most instances a probation officer is assigned by the judge to prepare a brief social case history prior to the hearing. The adequacy of the case history depends upon the understanding which the judge has of child offenders and upon the qualifications of the case worker. If the judge thinks of the court as a treatment agency, rather than an

<sup>1</sup> Grace Abbott, *The Child and the State*, Vol. II, 1938, pp. 330-334.



agency for trying criminals and assessing punishments, the case history will contain the kind of social data which aid in understanding why the child became delinquent.

The content of the history of the case prior to the hearing is in general similar to that of any social case history. It includes information about all members of the family, the school, the neighborhood, and the child himself. It differs from the family case history in two important respects: first, the information obtained is to be used in explaining why the child engaged in unacceptable or anti-social behavior, and, second, it is obtained as the basis of a plan of treatment. The delinquent individual is the center of this case history. He may be an "individual delinquent" or a "gang delinquent," but in either case interest is centered upon how he reacts to his environment. The reasons for his peculiar behavior are in most cases not fully understood at the time of the court hearing, but tentative opinions will have been formed.

**Court Hearing.** The amount of formality at the court hearing varies widely. Most juvenile-court judges are elected. Except in rare instances they are lawyers who have sought public office because of the prestige it gives them and because of the indirect benefit it may be to them as lawyers. Only a few courts with juvenile jurisdiction have no other functions, and they are in the large cities. The vast majority of courts with juvenile jurisdiction hear also civil or criminal cases or both. Legal education emphasizes the formalities of court procedure. The judge of a court of general jurisdiction who incidentally hears juvenile cases has in most instances sought election to the office as a means of advancing his legal career. But if the hearings of juvenile cases are properly conducted, they add nothing to the legal stature or reputation of the judge. Hence the easiest thing for this sort of judge to do is to fall back upon the formalities of court procedure and dispose of the case as quickly as possible. Election to the office of judge of a court having only juvenile jurisdiction is tantamount to removing a lawyer from legal practice for the duration of his term of office, and the effect of this situation is, in many instances, to limit the field to candidates who as lawyers have been relatively unsuccessful in the practice of law. There are exceptions among elective judges, but the fact remains that in most courts we have judges who have ability but rely upon formal procedure or who have mediocre ability and just muddle through. The hearing of a juvenile case, therefore, is greatly affected by the caliber of the

judge and by the motives which led him to seek election to the office.

At the hearing certain persons are expected to be present. They include, besides the child, the parent or guardian, the probation officer who investigated the case, a clerk, and possibly a few other persons directly interested in the case. The public is not encouraged to visit the court, although permission can usually be obtained for students or other persons, with more than a motive of idle curiosity, to attend a hearing. If the child has been arrested by the police, the family may be resentful and feel that they should have an attorney. That is their constitutional right, but in a properly conducted juvenile court the practice is discouraged as unnecessary and prejudicial to the interests of the child. The most successful juvenile courts are concerned mainly with the motivation of the child which led him to violate the law or to be in danger of becoming delinquent. They note the offense committed but give it slight consideration. Consequently, the procedure is informal but dignified. The hearing becomes a conference at which the child assists in determining the disposition of his own case.

There are several ways of disposing of a juvenile delinquency case. Many delinquents are such because they have been neglected either by uninterested parents or guardians, or because of the lack of parent or guardian. Very young children of this class may be treated by the judge as dependent children and disposed of accordingly. The older child who is brought to the court on a petition alleging delinquency may be reprimanded by the judge and released, may be placed on probation, or may be committed to a training school for delinquents. Some judges are very fond of the "fatherly reprimand," but there is no evidence that this benevolent impulse is rewarded by any profound reformation of conduct. A few juvenile cases are referred to social agencies or to individuals for supervision. Hence any one of these dispositions presumes that the judge has been able to make a social diagnosis and to prescribe the correct treatment. This is a very large and unwarranted presumption on the part of the judge. If the case is held open for further study or is given probation, developments can be watched and the treatment altered when necessary.

During the 1930's the number of children in institutions declined. Because commitment of a juvenile to an institution for delinquents is the most severe kind of treatment, Table 28 is given to show the variations in state rates of commitment.

## METHODS OF TREATMENT

TABLE 28

CHILDREN IN PUBLIC INSTITUTIONS FOR DELINQUENTS PER 1,000 CHILDREN UNDER 21 YEARS OF AGE IN EACH OF 34 STATES, 1940<sup>1</sup>

STATE	RATE PER 1,000 CHILDREN	STATE	RATE PER 1,000 CHILDREN
All States	.47		
District of Columbia	2.81	Alabama	.58
Hawaii	1.92	Nevada	.57
Vermont	1.02	Virginia	.57
Wyoming	1.00	Iowa	.50
Maine	.96	North Carolina	.50
Utah	.93	Georgia	.46
Idaho	.78	South Dakota	.45
Connecticut	.76	Kansas	.43
Nebraska	.72	Oklahoma	.40
Minnesota	.69	Pennsylvania	.36
Montana	.68	Illinois	.36
Ohio	.68	Michigan	.33
West Virginia	.66	Louisiana	.33
Indiana	.62	New York	.30
New Hampshire	.62	Arkansas	.27
Oregon	.59	Kentucky	.24
North Dakota	.58	Mississippi	.22

Two high rates need explanation: the District of Columbia institution receives children from federal courts throughout the country; the high rate of Hawaii simply reflects lack of other facilities for the care of delinquent children. However, after explaining these two very high rates, there is still evidence of lack of standardization.

**Court vs. Case-Work Procedure.** A few juvenile courts, such as those of Boston and Cincinnati, have tended to become social agencies or behavior clinics. They have employed probation officers with training and experience in social case-work and have arranged for medical and psychiatric services. In such courts the judge is in fact the chief executive of a social case-work agency, but in general his knowledge and training fit him no more for this kind of a position than does the knowledge and training of a political party worker who is appointed to an important position in a public welfare

<sup>1</sup> United States Children's Bureau, *Statistical Series, op. cit.*, p. 15. The rates have been changed by the author from "rate per 10,000 children" to "rate per 1,000 children."

agency. Grace Abbott stated the qualifications of the average judge accurately when she wrote: "The judge's legal training and his experience in private practice and in political and civic undertakings cannot be said to have prepared him to decide what the treatment of the individual delinquent should be. On the contrary, his training and experience predispose him to believe the authority of the court and a lecture by him will cure deep-seated causes of antisocial conduct. His understanding of conduct problems and knowledge of treatment is that of the average layman, and no more." Judge Eastman of the Cleveland court has proved recently that his court qualifies. He wrote: "both the juvenile court and social work made use of the growing knowledge gained from psychiatry and psychoanalysis. The child in trouble is seen as an individual and serious effort is made to understand the underlying emotional factors in which is rooted the overt manifestation of delinquency. Case work thus seeks to help a person develop insight into his own problems that will liberate constructive energies and enable him to realize the potentialities within himself."<sup>1</sup>

The governmental agency which takes custody of the person must operate within the law and in consonance with the constitutional rights of the individual. It does have judicial functions, and when it acts to deprive a child of liberty or property it must proceed as a court. But once the decision has been made that treatment requires deprivation or limitation of liberty or property and action is taken, the next proper step is forward to case-work treatment. The decision of the judge likewise must have been based upon case-work investigation and diagnosis by a professional case worker. The judge, as a judicial officer, is merely an umpire; as one who directs the treatment of delinquency, he is a public welfare executive.

#### PROBATION

Next to cases "dismissed, adjusted, or held open without further action," the most common way of disposing of a delinquency case is to put the child on probation. Probably by most judges probation is regarded as a form of punishment; certainly they regard it as less desirable from the viewpoint of the child than dismissal of the case. It is, however, preferred by the child to commitment to an institution, and it is regarded by the judge as less severe. The word "pro-

<sup>1</sup> *Annual Report for 1948*, Cuyahoga County Juvenile Court, Cleveland, Ohio, March 7, 1949, p. 4.

bation" indicated the intention of enlightened students of correctional administration when it was first coined, but it hardly means what the leaders in the field have in mind today. Originally it was connected with the suspension of sentence; the convicted offender, put on probation, was given a chance to prove that he could be a law-abiding citizen without serving a sentence in prison. Apparently probation still meant substantially that, in the case of adult offenders, to the directors of *The Attorney General's Survey of Release Procedures*: "Probation is the postponement of final judgment or sentence in a criminal case, giving the offender an opportunity to improve his conduct and to readjust himself to the community, often on conditions imposed by the court and under the guidance and supervision of an officer of the court."<sup>1</sup> It certainly does not mean this when applied to probation of juvenile offenders. When the term is used intelligently with reference to juvenile offenders, it is a positive method of treating behavior problems and not a substitute for incarceration. Probation for juveniles is a special method of reconstructing behavior patterns; it is an educative process supervised by a person known as a probation officer who is a qualified social case worker.

**Organization.** In most jurisdictions the court not only grants probation but supervises it. The only judicial aspect of probation is the grant of probation status by the court, but, because the courts have always confused probation with leniency in connection with a suspended sentence, they have assumed the obviously executive function of directing treatment—an activity which they would not think of carrying on in a prison. In recent years, however, a number of states have passed legislation which gives some power of supervision over administrative matters to the state. "In California, Ohio, Pennsylvania, and Virginia the State public welfare departments have power to investigate probation work and make general recommendations, require reports from officers and in some cases prescribe the type of record forms to be used."<sup>2</sup> The New York Department of Correction may investigate local probation bureaus, require reports, establish rules for probation procedure, and take action to have probation officers removed. The State Department of Correction in Michigan has the duty of appointing and supervising probation officers in all courts except those in Detroit. The Indiana Division of Probation holds examinations and establishes eligible

<sup>1</sup> Vol. II, "Probation," 1939, p. 1.

<sup>2</sup> *Ibid.*, p. 39.

lists from which the courts must appoint their probation officers. A number of other states have varying degrees of supervisory authority over probation.

But with rare exceptions supervision of the probationer is a court activity. The statutes have laid upon the courts this duty, probably because the legislators did not know the difference between granting probation status and supervising the probationer. If legislatures recognized probation as a distinctive method of correctional and penal treatment, they presumably would amend the laws to place supervision of probationers under an agency of the executive branch of government. The administration of correctional and penal institutions is everywhere accepted as an executive function. Rhode Island has broken with the tradition of supervision by the courts: "The bureau of probation, parole, and criminal statistics has the power of 'supervision and control' over all persons placed on probation by the courts of Rhode Island."<sup>1</sup> Indiana has taken a step in this direction: "The director of public welfare [in the county] and his assistants shall, under the supervision of any court having jurisdiction of persons on probation, perform such of the functions of probation officer or agent of the court in any welfare matters which may be before it as the court may direct."<sup>2</sup> This act is only permissive. The court may choose to have the county department of public welfare supervise probationers, or it may create its own department of probation. About twenty of the counties in Indiana were using the welfare departments in 1939. The director of the Rhode Island Bureau of Probation, Paroles, and Criminal Statistics is appointed by the State Welfare Commission.

The larger courts often have a considerable number of probation officers. The service is usually set up as the probation department, at the head of which is a chief probation officer. Probation officers in some states are selected under civil service laws and may not be discharged except for cause, but in most of them, as in Illinois and Indiana, the probation officer holds office in the juvenile court at the pleasure of the court. The appointment of probation officers in the federal courts is optional with the presiding judge; if he chooses to have one or more probation officers, he is free to appoint whom-ever he wishes. As long as the position of probation officer is political, the chance of getting professionally qualified persons is very small.

<sup>1</sup> *Ibid.*, pp. 270-271.

<sup>2</sup> *The Welfare Act of 1936*, sec. 21, as amended.

**Probation Procedure.** The probation officer is a social case worker, although numerous judges think of him as an "investigator." Many of the statutes lay emphasis upon "investigation," but this smacks of criminal court procedure in which investigators seek additional information for a grand jury or a prosecuting attorney. Used in this sense, investigation suggests the collection of information to prove guilt, whereas the social case worker collects information in order to make a social diagnosis preliminary to case-work treatment. The Illinois law reflects in a limited way the viewpoint of social case work:

"The clerk of the court shall if practicable notify the probation officer in advance when any child is to be brought before the court; it shall be the duty of the probation officer to make such investigations as may be required by the court; to be present in court and represent the interest of the child when the case is heard; to furnish the court such information and assistance as the judge may require; to take charge of such child before and after the trial as may be directed by the court. . . .

"If the court shall find any child to be delinquent, it shall allow such child to remain in its own home subject to friendly visitation of a probation officer, such child to report to the probation officer as often as may be required; if it is found by the court that it is for the best interest of the child and for the state, that the child be taken away from its parents, guardian, or custodian, then the court may appoint some proper person or probation officer, guardian over the person of such child, and permit it to remain in its home or order such guardian to cause it to be placed in a suitable family home, or cause it to be boarded out in some suitable family home. . . ." <sup>1</sup>

The treatment process is not outlined in the statute,—which is probably correct, since social case work is a professional skill, like teaching and law,—but it is made clear that the probation officer represents the interest of the child; he is not a policeman, and he is not trying "to get something on the child" which he can convey to the court, but his duty is in a scientific and ethical manner to propose a method of treatment for the good of the child.

The work of the probation officer begins when a summons is issued to the parent or guardian to bring the child before the court. A preliminary investigation of the case is necessary before the court hearing, and a rather complete social history is indispensable to the court in deciding how to dispose of the case. Needless to say, many

<sup>1</sup> *Smith-Hurd Revised Statutes*, 1931, ch. 23, secs. 195, 198.

juvenile courts act without adequate information, and that is one reason why so many probationers fail to respond satisfactorily to treatment. They are not amenable to probation in the first place and should have been handled in some other way. If probation is to succeed, the cases for probation must be selected by the court with great care. Whatever medical, psychiatric, psychological, or social facts are necessary for a correct judgment of the potentialities of the child should be available to the court at the hearing and at the time disposition is determined. Unfortunately, the statutes in most states not only do not make a pre-hearing investigation mandatory, but they do not make a pre-probation investigation mandatory. Yet there can be no intelligent selection of cases for probation without such investigation.

Much of the information which the court requires for a just and reasonable disposition of the case is of basic importance in the supervision of probationers. If the judge fails to obtain the factual information which would increase the precision of his actions prior to granting probation, a good probation officer will have to obtain all of it and much more immediately after the child has been put in his charge as a probationer. Adequately to represent the interest of the child, as the Illinois law requires, during the whole period of probation, the probation officer must have educational, medical, psychiatric, psychological, economic, and social data which relate to the motivation and conduct of the child. He must know the relation of the child to members of his family, to his playmates, to his teachers, and to any other persons important to the child's environment. It is the business of the probation officer to help the child find satisfying activities and social relationships and to guide him as far as possible toward an understanding of his own motivations. That is social case work. Barring differences in emphasis and in the origin of the case, the methods of probation are in all respects similar to those of generic social case work.

The duration of probation varies with the case. No judge at the time of the hearing is sufficiently omniscient to fix a terminal date, although many of them are known to do so. To put a child on probation for six months or for one year or for any other definite period is to misconceive the function of probation, which is to treat the causes of misbehavior for which the child was brought to court. The period of probation should always be indeterminate. Only the progress of the child under supervision is a criterion for discharge from proba-



tion. The kind of offense committed has little, if any, relation to the length of the probationary period required to accomplish the purposes of probation. Some children respond more quickly than others. The peculiarities of the individual personality, in the particular environment where treatment is carried out, alone determine the period of time needed for the re-educative process to yield the desired results.

### THE TRAINING SCHOOL

If a child adjudged delinquent is not released to his parents or guardian and if he is not put on probation for case-work treatment, he is likely to be committed to a school for delinquent children. These schools are variously called "correctional schools," "industrial schools," "training schools," and simply "schools." Segregation of boys and girls into different institutions is everywhere accepted as desirable. Most boys and girls in these schools are adolescents, and the sex problem in a coeducational institution would presumably be very difficult to cope with. Furthermore, the vocational training programs for boys and girls differ in important ways, although they differ in fact more than is necessary. A survey report on five schools for delinquent boys by the United States Children's Bureau states the objectives of these institutions as follows:

"... An institution for delinquent boys exists for the purpose of re-educating the individual child committed to its care by the court. Re-education here means something much broader and deeper than any amount of improvement or increase in the academic instruction or vocational training which the individual child is to receive. It means giving thoughtful attention to his personality difficulties to the end that he may achieve healthy emotional development as well as growth in mental equipment or manual skill. It means giving the child an opportunity to meet and experience life under controlled conditions, in order that he may be more readily redirected and guided into behavior channels that will gratify him and be acceptable to others. It also implies making quite sure before he is released that he has acquired sufficient re-education, or redirection, to enable him to make those personal and social adjustments that will be necessary if he is to lead a fuller, happier, more productive life and if he is to avoid those conflicts which had previously brought him, and would bring him, into conflict with society and its laws."<sup>1</sup>

<sup>1</sup> Alida C. Bowler, and Ruth S. Bloodgood, *Institutional Treatment of Delinquent Boys*, Part I, Treatment Programs of Five State Institutions, Publication No. 228 of the U. S. Children's Bureau. 1935. D. 3.

The program of the better schools is organized to achieve these objectives, but realization of this standard lies in the future.

**Organization.** The administrative organization of training schools varies with the ability of the superintendent as an executive, the quality of the staff, and the statutes creating the schools. Institutional organization can be represented by the hypothetical organization of a boys' school shown in Figure 15. In a few schools there are two assistant superintendents: one in charge of the service departments and one responsible for the operating departments. Most schools have some kind of board; in Indiana this body is called a board of trustees, and in New Jersey it is called a board of managers. Usually the boards have some power to determine policies, but their chief functions are advisory. An active, well-informed advisory board brings to the superintendent and staff the viewpoints of the public, and the members can render an important service by interpreting the institution to the public. The board is oftentimes a buffer between the superintendent and the political patronage dispensers.

The "classification committee" would be called a "case conference committee" in a noninstitutional agency. It consists of the superintendent and the heads of all operating departments. The chairman of the committee assembles the reports of the departments concerning the child, and periodically these are discussed by the committee. At some point in the discussion the child is brought into conference with the committee, questions are asked of him, and he is invited freely to comment on any part of his program. An attempt is made to work out a program with him which he likes and which the staff believes is suitable for him. The classification-committee procedure was first developed by the New Jersey Department of Institutions and Agencies, but it is now recognized as an indispensable adjunct of good training school administration.

**The Program.** The program of the school consists of the internal activities which are all directed toward preparing the child for placement outside the institution, either in his own home or in some other family home, and of supervision of the child after release from the institution. The term "placement" is preferred to the older term "parole," because it emphasizes the child-welfare character of the training schools and differentiates them still further from adult penal institutions. The place for the training school in a welfare program is in the children's division of the department, not in the

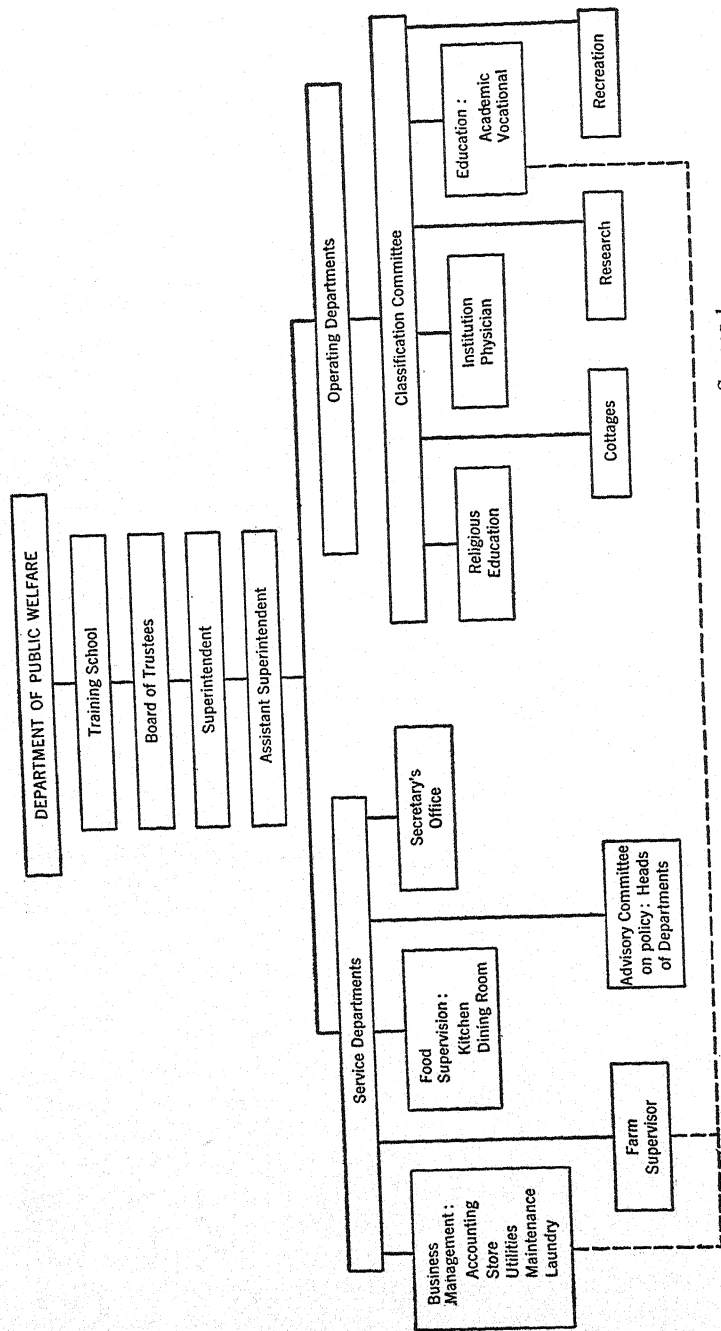


FIGURE 15. ADMINISTRATIVE ORGANIZATION OF A BOYS' TRAINING SCHOOL<sup>1</sup>

<sup>1</sup> While this chart does not represent the internal organization of any particular training school, most of the details were obtained from the organization charts of the Indiana Boys' School and the New Jersey State Home for Boys.

division of corrections which deals with adult offenders. The Advisory Committee to the United States Children's Bureau on Training Schools for Socially Maladjusted Children recently said: "There is a greater possibility of cooperative welfare services on both a county and State level if the training school is an integral part of the welfare program. Such cooperation should result in closer working relations with the local welfare unit thus affording a wider range of opportunities for increased knowledge of the basic causes of the child's problems and through the efforts of the local unit and the after-care department of the school, to prepare the family for the return of the child and his re-absorption into home and community activities."<sup>1</sup> Some of the officials of the United States Bureau of Prisons and the Osborne Association, Inc., a private organization interested in penal administration, have attempted in the recent past to have the administration of the training schools assimilated to the general program of penal administration in the states. This is obviously an antiquated and reactionary attitude; no recognized child-welfare worker agrees with it, and the National Association of Training Schools has continuously opposed it and stood out for assimilating the training schools to the child-welfare program of the state. Hence, the program of the schools is educational rather than punitive; it provides for placement rather than parole.

The program in the institution consists of study of the individual, academic and vocational education, work, religious training, and recreation. The broken line in Figure 15 indicates that there is a relation between the educational department and the business manager and the farm supervisor. That indicates the work program which is supervised by the school but done under the immediate direction of the heads of two service divisions. The development of the program of a particular student may be represented in a chart such as Figure 16. The friendly interest of the boy is cultivated at every point in the program, and at the meeting of the classification committee the boy is made to feel that he is among friends who are assisting him to achieve his own purposes. His teachers and work supervisors are expected to manifest the same friendly interest in the boy, and not the least important link in the chain of experience is provided by the house mother and house father who are respon-

<sup>1</sup> "Objectives for Training Schools and the Place of Training Schools for Socially Maladjusted Children in a Public Welfare Program," recommended March 31, 1938. Printed by the Printing Department of the Indiana Boys' School, Plainfield, Indiana.

sible for the boy during many of his free hours. While giving the boy academic and vocational training to prepare him to participate in

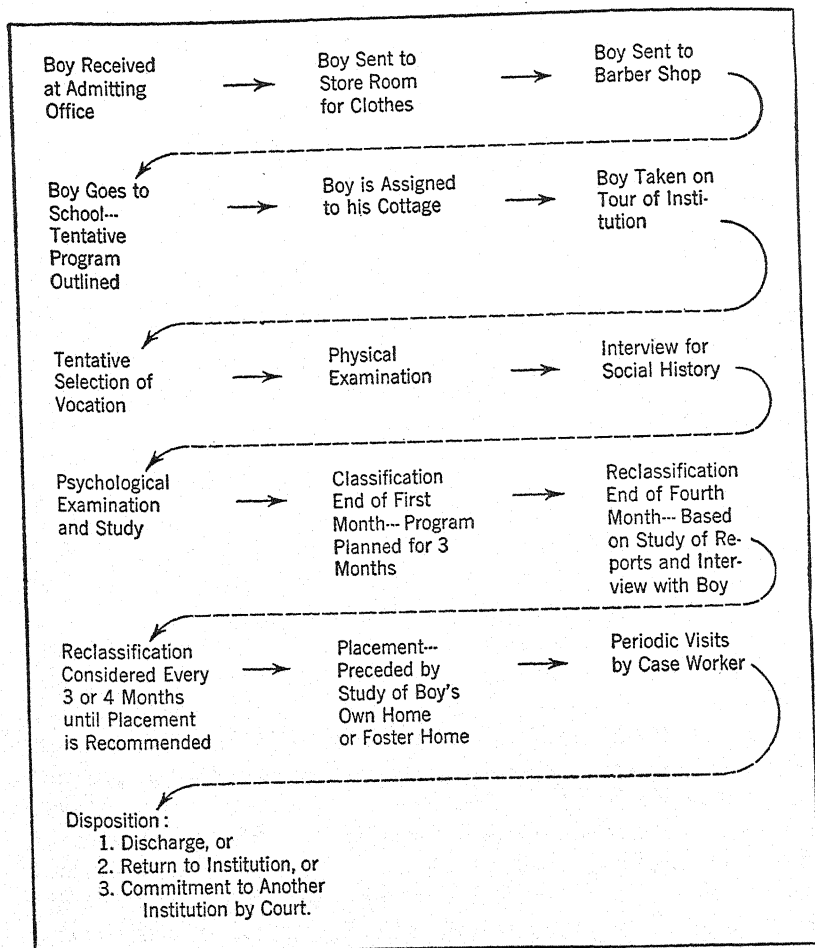


FIGURE 16. FLOW CHART, SHOWING THE PASSAGE OF A BOY THROUGH THE INDIANA BOYS' SCHOOL <sup>1</sup>

community living and to earn a living, all parts of the program are directed toward the development of habit patterns which are acceptable to society and necessary for the boy.

<sup>1</sup> Material for chart provided by O. J. Breidenbaugh, Director of Research, and Maurice O. Hunt, Director of Placement, 1940.

## RESULTS OF TREATMENT

The results of probation and institutional treatment of delinquent children are not adequately known. Most of the attempts to measure the degree of success attained by the treatment used have been studies of adults; these have received much attention and have for a number of years been jarring the complacency of administrators, much to the benefit of their souls if not yet much to the benefit of the offenders. The Children's Bureau study mentions a small follow-up study made by Elmer E. Knox at the Whittier (California) State School for Boys.<sup>1</sup> Knox found that 58 per cent of the boys had made average or better than average success and 4 per cent, while not failing, had made rather poor adjustments, but he believed that 38 per cent were undoubted failures. Miss Bowler and Miss Bloodgood summarize their own findings regarding the follow-up study of 751 boys released from five institutions, as follows:

"1. Employment adjustment in the 618 cases in which the necessary data for evaluation had been obtained was rated as excellent in 78 (13 per cent), good in 142 (23 per cent), fair in 156 (25 per cent), and poor in 242 (39 per cent).

"2. Economic adjustment in the 621 cases for which data were obtained was rated excellent in 80 cases (13 per cent), good in 171 (28 per cent), fair in 121 (19 per cent), poor in 148 (24 per cent), and very poor in 101 (16 per cent).

"3. Adjustment in social relations was regarded as excellent in 64 (10 per cent) of the 623 cases, good in 162 (26 per cent), fair in 119 (19 per cent), poor in 175 (28 per cent), and very poor in 103 (17 per cent).

"4. The final evaluation of the adjustment the 623 boys had made to the general requirements of community life, based on consideration of all the adjustment ratings on specific phases of adjustment, resulted in a rating of generally successful in 200 cases (32 per cent), doubtful in 203 (33 per cent), and unsuccessful in 220 (35 per cent)."<sup>2</sup>

There is no way of knowing whether these same boys, if they had been released by the court or put on probation, would have performed better or worse than they did.

Measurement of success must be undertaken under varying circumstances and at successive periods of time to determine whether

<sup>1</sup> Elmer E. Knox, "Follow-up of 103 Whittier School Boys Ten Years after Admission," *Journal of Juvenile Research*, Vol. 12, December, 1928, p. 261.

<sup>2</sup> Bowler and Bloodgood, *Institutional Treatment of Delinquent Boys*, Part II, Publication No. 230 of the U. S. Children's Bureau, 1936, p. 99.

or not a given program is succeeding. Sheldon and Eleanor T. Glueck found that about 88 per cent of the children put on probation by the Boston juvenile court had failed. Similar discouraging results have been found by others in smaller studies. The results of probation are particularly difficult to measure, because the violation of formal conditions may result in bringing the child into court and committing him to an institution, in which case probation would have failed. The fact is that millions of children who do not happen to be brought into court commit minor offenses every day which would mark them as failures if they were on probation. Probationers are, after all, children and they do the irresponsible things which all children do in addition to some others which are perhaps more serious than the average child does. In order to measure the success of probation, a control group of legally nondelinquent children needs to be followed; their acts of misbehavior should be counted and placed alongside of those of the probationers. The same principle holds for children released from a training school; many children go to institutions because they have committed offenses less serious than those of other children who were not caught and are free. Furthermore, children in economically poor neighborhoods are brought into court more often than those in economically good neighborhoods; the studies of Clifford R. Shaw and others amply prove this point. The folkways are different in poor and good neighborhoods, and often we may be charging children with delinquency because of their folkways, whereas the parents of children in better economic circumstances may know how to avoid the consequences of acting according to or contrary to accepted folkways. It would seem, therefore, that any judgment regarding the success or failure of a probationer (or one placed from an institution) should be based upon a case-work analysis of the entire record of the case. As yet the best we can do is to add up the opinions of the best case workers.

### QUESTIONS

1. Why is the treatment of the juvenile offender different from that of the adult offender?
2. What sort of information should the judge have prior to the hearing of a delinquency case?
3. Discuss the differences between the attitudes of the court and the social case worker.

4. Compare the relative merits of the court and a public welfare agency as supervisors of probation.
5. What qualifications should a probation officer have?
6. Can you suggest improvements upon the organization of a training school presented in Figure 16?
7. What is the program of the boys' or girls' school in your state?
8. Do you see any significance in substituting the term "placement" for the term "parole" in the case of juvenile delinquents?



## CHAPTER XIV

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### CARE OF THE ADULT OFFENDER

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Some method of handling those who violate the laws or fundamental customs has always existed in organized society. Antisocial conduct might be deemed such because it endangered the life or well-being of any member of the social group, or it might be an act which threatened the status and prerogatives of a hereditary class or a revolutionary oligarchy. In any case something had to be done about the offender. A common way of handling such persons throughout history has been to put them to death. Ostracism from the tribe or community is another ancient method of dealing with the recalcitrant member of the social group. Either death or ostracism removed the dangerous individual from his group and terminated the threat which he had hung over the governing group. In the seventeenth and eighteenth centuries a new theory about dealing with these recalcitrant members of society, who had come to be called felons or criminals, was put forward. This theory assumed that a criminal act did not necessarily render a person unsuited for life in society for all time to come but, on the contrary, might be accidental and merit not execution or cruel tortures but some punishment "suited to the crime." This theory was back of the early prison movement in this country and the efforts to abolish capital punishment for most offenses against the law. In recent years the emphasis in penology has shifted from "punishment to suit the crime" to "treatment to suit the offender." The protection of society is an important reason for apprehending persons who violate the laws, but, once the violator has been taken into custody and proved guilty, the question of how he should be treated in order to prevent his committing new crimes, when he is released after serving sentence, is paramount. Hence, the objectives of care of the adult offender are now conceived mainly to be the protection of society against irresponsible persons and the reform

of the behavior patterns of the offender through an educative process. Punishment as an expression of the vengeance of organized society has proved ineffective as a means of either reducing or solving the crime problem. The new theories of penology propose to apply scientific methods to the treatment of adult offenders as well as juveniles.

Adult offenses against the law have been classified as misdemeanors and felonies, or minor and major offenses. A person who pleads guilty or is convicted of a misdemeanor, under ordinary circumstances would be fined, given a jail sentence, put on probation, given a suspended sentence, or sent to a state institution for minor offenders. Rarely would a misdemeanant be committed to a state reformatory or prison. A felon, however, could be given probation, a prison sentence, suspended sentence, or a death penalty, depending upon the seriousness of the offense and the law relating to it. The matter is more complicated than this, however; the judge may permit the defendant to plead guilty to a lesser offense than he actually committed and give him a lighter sentence, or the jury may find him guilty of some offense other than that for which the prosecution sought conviction. Thus, a man who committed murder may be allowed to plead guilty to manslaughter, or the jury might find him guilty of manslaughter; that is a way of taking account of extenuating circumstances.

The indeterminate sentence is the modern procedure for fitting the treatment to the offender instead of to the offense. Minima and maxima may be fixed for particular offenses by statute, or the statute may fix only a minimum sentence and leave the determination of the length of sentence to a board which adjusts it to the progress of the prisoner. American practice has generally followed the plan of fixing minima and maxima by law. The parole board may then exercise discretion within the limits fixed by law. There is great variety in the sentencing practices of judges in the same state, and the same judge often appears not to be consistent.<sup>1</sup> The differential sentence for the same offense is consistent with the theory that the treatment should fit the offender rather than the offense, but few courts are equipped to determine the sentence which should be imposed for this purpose. The court is equipped to determine guilt or innocence, but treatment is a case-work

<sup>1</sup> See R. Clyde White, "Sentencing and the Treatment of the Criminal," *Social Service Review*, Vol. XI, June, 1937, pp. 234-246.

process which moves at varying tempo in different cases. Hence the indeterminate sentence, if the judge must impose it, allows for adjustment of actual length of incarceration to the observed performance of the prisoner. From a scientific viewpoint sentences should be completely indeterminate, but because of the frailties of human nature it is perhaps in the interest of individual rights to fix maxima by law.

### PROBATION

The principles which govern the granting of probation and the supervision of probationers are similar to those discussed with respect to juvenile offenders. They must simply be adapted to the requirements of adults. The judge grants probation with or without a special study of the case by an investigator or probation officer; he is limited in his discretion only by specific statutes, and these leave ample freedom in most states.

The administration of adult probation is for the most part a local responsibility, and, further than that, it is usually the individual court which organizes probation services. The situation is not different in the federal courts, where each court decides whether or not to have a probation department. Except in a few instances, the statutes authorize the courts to appoint probation officers; hence, such officers are employees of the court and are not subject to civil service laws.<sup>1</sup> Obviously probation is in essence an executive function, but many of the statutes will have to be amended to make it such. In a few states probation is centralized in a state department and persons placed on probation by the courts are turned over to these state agencies for supervision. Rhode Island, Vermont, Washington, and Wisconsin provide state financing, supervision, and control and may be taken as the best examples to date of this type of organization.<sup>2</sup> Centralized county or metropolitan organization is found more widely distributed; examples are Hennepin County, Minnesota; Erie County, New York; Common Pleas Court, Cincinnati; Union County, N. J.<sup>3</sup> These efforts to centralize the administration of adult probation seem to imply that increasingly

<sup>1</sup> A decision on this question was handed down by the Illinois Supreme Court in the case of *John Witter, Appellee, v. The County Commissioners of Cook County et al., Appellants*. 256 Illinois 616 (1912).

<sup>2</sup> *Attorney General's Survey of Release Procedures*, Vol. II, "Probation," pp. 43-49.

<sup>3</sup> *Ibid.*, pp. 49-63.

probation is being regarded by the legislative bodies as a positive method for the treatment of crime and delinquency. The most important single bit of evidence for this observation is the fact that qualifications for probation officers have been established in many jurisdictions and on a state-wide basis in a few states; probation officers are expected to play an active role in the readjustment of probationers, and it is presumed that they can do this more effectively if they are properly trained.

Both misdemeanants and felons are placed on probation. Presumably a much greater number of misdemeanants than felons receive probation each year, because many times more persons are charged with misdemeanors than with felonies. Statistics are not available to indicate the proportion of adult misdemeanants who

TABLE 29

TYPE OF SENTENCE IMPOSED ON DEFENDANTS CONVICTED OF MAJOR OFFENSES,  
BY OFFENSE, 1945<sup>1</sup>

OFFENSE	TOTAL	PER CENT RECEIVING SENTENCE			
		Prison or Reforma- tory	Probation or Suspended Sentence	Jail	Other
Total	100.0	39.1	31.6	20.9	8.4
Murder	100.0	83.1	13.7	1.8	1.4
Manslaughter	100.0	48.9	31.3	15.8	4.1
Robbery	100.0	65.9	17.5	12.0	4.6
Aggravated Assault	100.0	29.9	29.0	30.2	10.9
Burglary	100.0	48.0	30.8	15.6	5.6
Larceny, except Auto Theft	100.0	30.7	36.7	24.7	7.9
Auto Theft	100.0	33.7	40.6	18.2	7.5
Embezzlement and Fraud	100.0	28.4	38.4	19.3	14.0
Stolen Property, Receiving, etc.	100.0	28.7	40.1	22.4	8.8
Forgery and Counterfeiting	100.0	46.1	33.1	14.9	5.9
Rape	100.0	54.3	25.6	14.6	5.5
Commercialized Vice	100.0	24.1	22.8	30.9	22.1
Other Sex Offenses	100.0	24.1	31.1	24.5	20.3
Violating Drug Laws	100.0	19.2	8.8	67.0	5.0
Carrying, etc., Weapons	100.0	12.6	36.2	36.0	15.2
Other Major Offenses	100.0	44.3	25.5	22.9	7.4

<sup>1</sup> *Judicial Criminal Statistics 1945, Summary*, Series J-14, No. 26, February 21, 1947, p. 7.

are placed on probation. These figures are available, however, for those who were sentenced for felonies, by type of offense, in thirty states. Table 29 shows the distribution of sentences in 1945. From it we see that in a rough way the public estimate of the seriousness of an offense determines the frequency with which persons convicted of it are placed on probation rather than given some other sentence. The category "Other" includes all classes of fines and a few miscellaneous sentences. In some cases sentence is suspended, but the convicted offender is not given a sentence of probation, and occasionally he will be put on probation without supervision. It appears that of all "probation or suspended sentence" cases about 20 per cent are cases without supervision,<sup>1</sup> but the statistics as reported by the Bureau of the Census do not indicate the number that received supervision while on probation. It is apparent, however, that a large proportion of convicted felons are sentenced to probation.

Selection of the individual for probation is of vital importance when probation is regarded as treatment, because probation as a sentence should be given only to those persons who show promise of responding to this form of treatment, but broader considerations enter into the decision of the judge. In reviewing the conditions which must be fulfilled to release a convicted person on probation, the Illinois Supreme Court said, "Whether release on probation shall be granted always rests in the discretion of the court, but before the court has the right to grant the request it must be satisfied that there is reasonable ground to expect that the petitioner may be reformed, and that the interests of society will be subserved. Satisfaction on one of these points will not suffice. The court must be satisfied by the report of the probation officer and by other evidence that both grounds for release on probation are present."<sup>2</sup> Thus the court is required to consider not only the probability of reforming the individual but also "the interests of society." This places a greater burden on the court and indicates the primary importance of adequate technical advice before sentence is passed. If the probation staff is sufficient in numbers and technically competent, and if it has access to medical, psychiatric, psychological, and other special services, the court will doubtless

<sup>1</sup> *Attorney General's Survey, op. cit.*, p. 73.

<sup>2</sup> *People v. Penn*, 302 Illinois 488, 493 (1922). Cited in *Attorney General's Survey of Release Procedures*, Vol. II, "Probation," p. 113.

be able to place more difficult cases on probation and still abide by the injunction of the Illinois Supreme Court.

### LOCAL JAILS

William J. Ellis, Director of the New Jersey Department of Institutions and Agencies, once said, "The jail is the most numerous, the most important, and the most vexatious penal institution in the United States."<sup>1</sup> He estimated that there are about 3,700 county and city jails and perhaps 10,000 other local lockups in the country. Three fourths of them fail to meet federal standards. The jail is usually under the control of the sheriff, an elected official who rarely has any competence in penal administration.

**Functions.** The jail contains the most heterogeneous population of any penal institution. Persons arrested are put in jail until they can make bond. If they cannot make bond, they are kept in jail while awaiting trial. Important witnesses who may disappear or be in danger of attack from interested parties may be detained in jail. After conviction the offender may receive a sentence to jail, or, if he is sentenced to some other penal institution, he is kept in jail until he can be transferred to the institution to which he is committed. The jail is, therefore, both a place of detention and a place of punishment. It could hardly be called a place of treatment, barring a few exceptions in which something is done to give employment to the inmates and to provide medical services. More than a million people per year spend some time in jails, and about two thirds of these are serving sentences.<sup>2</sup>

The need for the jail, as we have known it in the past, is declining, but in actual fact the number of jail prisoners remains high. In a number of states, notably in certain southern states, penal farms under the control of the state are being established for misdemeanants. The first of these state farms to be established and operated on modern lines was the Indiana State Farm, authorized in 1913; all persons required to serve sentences of 60 days or more for minor criminal offenses must be committed to the Farm by the court, and the court may at its option commit persons sentenced for shorter terms. Gillin points out that the adoption of a sound policy for bonds for appearance in court would greatly reduce the number of

<sup>1</sup> "Prisons, Reformatories, and Jails," *Social Work Year Book 1939*, p. 298.

<sup>2</sup> *Ibid.*, p. 299.

jail prisoners awaiting trial or being held as witnesses.<sup>1</sup> Many persons who are sentenced to pay fines are unable to pay them and must serve the time out in jail; this can be obviated by permitting the payment of fines on the installment plan, as is done in a few jurisdictions already.

There are several things which account for the jail as our most "vexatious penal institution." It is a catchall for persons charged with violation of the law, just as the almshouse was a catchall for the poor. Usually there is segregation of the sexes in jails, and it is now relatively rare to find a child of juvenile-court age in jail. But aside from these elemental forms of classification, the jail population is a panmixia of the innocent, the guilty, the sick, the neurotic, sometimes the psychotic, the feeble-minded, the aged, the callow first offender, and the hardened recidivist. Ways of categorizing the almshouse population were gradually developed and special kinds of care devised for most of the categories. The almshouse suffered from the management of elected officers who knew little about public welfare. The jail has probably suffered much more for the same reason, (1) because most persons when arrested have money, or can get it, with which to buy favors, (2) because the sheriff may take advantage of the per diem allowance for food to reduce the jail diet and enrich himself, and (3) because the vicious and the inexperienced are herded together in cramped and often unsanitary quarters. Hence the first attack on the jail problem should be to take certain categories out of the jail; the second attack should be to take the jails away from the sheriffs and create a jail administration, to provide for the selection of personnel on a merit basis, and to remodel or rebuild the jails in accordance with modern knowledge of sanitation and health; and third, to transfer them to state administration.

### PENAL INSTITUTIONS

The term "penal institution" is often used in a general sense to apply to every institution from the jail to the penitentiary, but in a more restricted sense it refers to those institutions which receive persons convicted of felonies. Occasionally felons serve their sentences in jails, and sometimes persons convicted of misdemeanors are committed to reformatories and prisons. For the most part, however, the misdemeanant, if he serves an institution sentence, stays in the jail, and the felon goes to a reformatory or prison.

<sup>1</sup> John L. Gillin, *Criminology and Penology*, 1935, p. 413.

**Types.** The penal institutions of a state may at one time have all been of the same type, but that has not been the case since the opening of the Elmira Reformatory in New York in 1876. Since that date several different specialized penal institutions have appeared in various states. The Elmira Reformatory was intended for young men between the ages of 16 and 30. Such institutions for young felons of the male sex have been established in most states by this time. Somewhat over half of the states have separate institutions for female prisoners; the others depend upon segregation of the sexes within the institution. All states have made some special provision for the care of insane prisoners; in the larger states special prisons for insane prisoners have been established, but in a considerable number of states insane prisoners are placed in some building on the grounds of the prison. A movement is now developing for the creation of a special institution for "defective delinquents"; that is, feeble-minded offenders above the juvenile-court age. The institutions for defective male delinquents at Napanoch, N. Y., and for defective female delinquents at Albion, N. Y., are good examples of this new type of institution. Small states are compelled to work out their problems of classification within a single institution, because the cost of several different institutions with separate staffs for only a few prisoners would be prohibitive. Much can be done in a single institution to individualize treatment, if personnel is selected on a merit basis and high qualifications for professional personnel are set.

Penal institutions may also be regarded from the viewpoint of security against escape. They are referred to as minimum, medium, and maximum security institutions. The minimum security institution would be represented by the Annandale (N. J.) Reformatory, and a maximum security institution would be represented by any state prison or penitentiary, such as Sing Sing Prison at Ossining, N. Y., or the Illinois State Penitentiary at Joliet. The maximum security institution is characterized by a heavy guard system and by high walls. There are a certain number of prisoners who are allowed to work outside the walls on the farm or at other employment, but these usually make up a small proportion of the prison population. The medium security institution, where it has been established, is for young offenders who are not vicious and who are trusted not to make any desperate attempt to escape. It has been proposed that imprisonment of a serious offender should be for the first part of his



sentence in an institution of maximum security, and for the second in an institution of medium or minimum security to try him out before parole; thus, he would get used to freedom gradually, and the prison staff would have an opportunity to observe his response to a measure of freedom. The minimum security institution is either for misdemeanants or for young, tractable felons and transfers from other institutions.

**Classification within the Institution.** Classification, as used in prisons, means much the same thing as it means in training schools for delinquents. It is the term applied to all of those examinations, investigations, and decisions which result in a social diagnosis and a plan of treatment for the prisoner. Mass treatment of prisoners has been discredited by futile experience with it; as each prisoner has had a different background of experience and is a different personality, it is now recognized that successful treatment necessitates taking these factors fully into account. That is perhaps not always done in any prison, and it is hardly done at all in any scientific way in some of the more backward prisons. But in the federal prisons and in the most modern state prisons it is carried through as a routine procedure. The "causes" of crime, even in the individual case, are exceedingly difficult to identify, and because of the complexity of the factors used at the present time statistical analysis of causes must be regarded as suggestive only. Consequently, the prison staff undertakes a more obvious attack on the individual's problem; it determines his medical needs, the general state of his health, his educational attainments, his occupational attainments or lack of them, his religious affiliation, his interests in recreation, and his family connections. When these are tentatively ascertained, the prisoner is given a program which he helped to make and which it is believed promises to contribute to a reconstruction of his behavior patterns preparatory to return to civil life.

The treatment process will be illustrated by Figure 17, a chart which represents the passage of a prisoner through the branch of the Illinois State Penitentiary located at Stateville, just outside of Joliet. The "lifers," and those who die at the prison, of course never complete the process. The Diagnostic Depot receives all persons sentenced for felonies. After due study there, the prisoner is assigned to a particular institution. At the Stateville branch of the prison system those who are assigned there spend the first month in what is called the "Fish Gallery," where they are studied in-

tensively preparatory to individual classification. Barring a few major offenses, such as murder and treason, all offenses in Illinois carry indeterminate sentences with a minimum of one year; the maximum varies considerably but is fixed by statute. Any man is

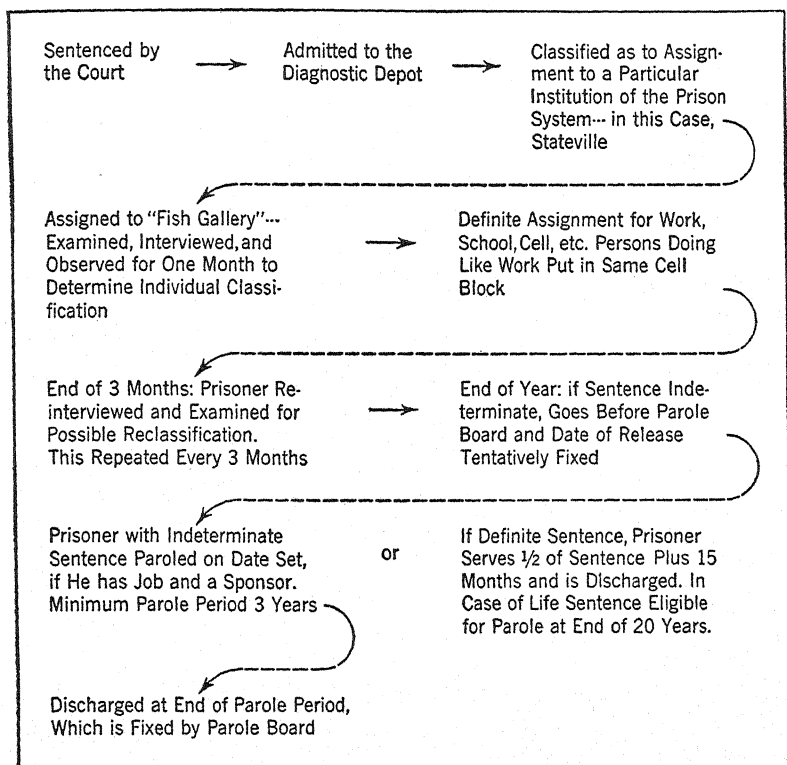


FIGURE 17. FLOW CHART, SHOWING THE PASSAGE OF A PRISONER THROUGH THE ILLINOIS STATE PENITENTIARY, STATEVILLE, ILLINOIS, 1939 <sup>1</sup>

eligible for parole at the end of one year, if he has an indeterminate sentence; consequently, the Parole Board functions as a central sentencing board in the sense that it actually determines the length of time above the minimum and below the maximum which the prisoner shall serve.

**Prison Labor.** For many years it has been an accepted principle that prisoners should work during their incarceration. Work is an essential part of the treatment process, and it enables the institution

<sup>1</sup> Information obtained from Joseph E. Ragen, Warden of the State Penitentiary.

management to contribute something toward the cost of maintenance. For many years it had been common practice to raise certain farm products on the prison farm, to manufacture clothing and furniture for institution use, to use prisoners in road construction or other construction work, and to let contracts to private operators to open factories inside the prison walls. These various industries provided work for most prisoners, at least during some part of the day, but the sale of prison-made goods in competition with the products of free labor aroused widespread opposition. The opposition to prison-made goods in the open market reached a climax with the passage of the Hawes-Cooper Act by Congress (1929). This act effectively put an end to the sale of prison-made goods in interstate commerce in 1933. Many of the states already had restrictions on the sale of goods made by their own prisons. These laws virtually eliminated the contract system, because the operators could no longer sell their products, and they limited the possibilities of disposing of goods produced directly under prison management. Because of idleness in the prisons in 1933, considerable disturbance and unrest among prisoners arose. Some of the prisons had already made adjustments to the situation which appeared at this time and were able to avoid any serious confusion. The solution found was state use of prison-made goods. That is, a prison could manufacture goods which could be used by other state institutions or by other agencies of the state government. These institutions and agencies could buy from the prison, and the prison could provide a considerable amount, if not enough, of work for all able-bodied inmates on its farm and in its factories and shops. This does not solve completely the labor problem. In 1939 the Stateville institution in Illinois was able to provide no more than five or six hours' work per day per prisoner, but it was giving that amount to almost all the prisoners. By executive order President Roosevelt created the Prison Industries Reorganization Administration, which has been working with the states to improve their prison labor plans and organization. The first study made by the administration was in Maryland, and a report was made July 9, 1936.<sup>1</sup> Since that time studies have been made in a number of other states, and plans have been adopted for reorganization of prison industries with a view to maximum employment and minimum competition with free labor.

<sup>1</sup> *The Prison Labor Problem in Maryland*, A Survey by the Prison Industries Reorganization Administration, 1936.

**Administrative Organization of a Prison.** The problems of penal administration are more easily seen in a chart of a particular prison than from a mere description of what goes on in a prison. Figure 18 presents the departmentalization of the prison at Stateville, Illinois.

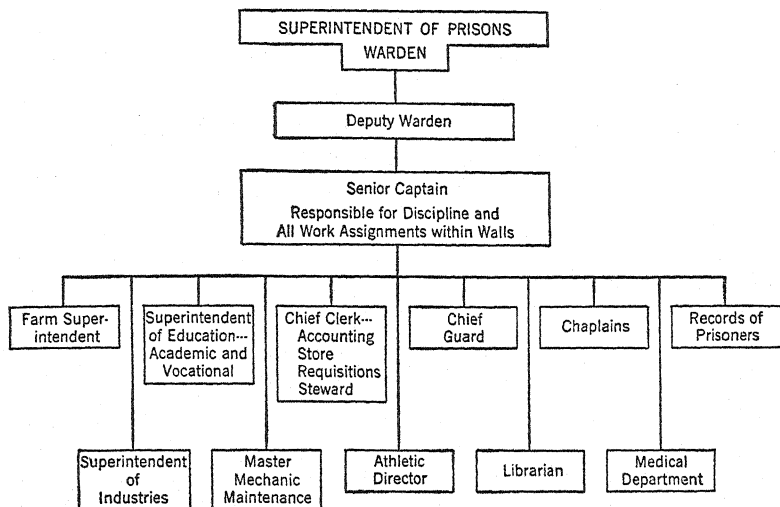


FIGURE 18. ORGANIZATION CHART OF STATEVILLE PRISON, 1939<sup>1</sup>

A total of 1,121 persons were on the staffs of the Illinois penal institutions in 1944; the number at Stateville alone is not reported by the Bureau of the Census. The Superintendent of Prisons for Illinois is also the Warden of the prison at Stateville. It will be noticed in the chart that the Senior Captain is the officer who has immediate contact with all heads of departments, and above him is the Deputy Warden. The Deputy Warden is far enough removed from routine to see the whole picture, and still further removed is the Warden. The Stateville institution has a reputation for good administration, and perhaps this has some relation to the fact that the Deputy Warden and the Warden are not so much encumbered with detail that they are unable to see the whole plant in operation and to observe the results of the program in its large outlines.

The types of persons required for penal administration are shown by the report of the Bureau of the Census for 1944. Table 30 gives this information. In terms of average daily attendance of inmates

<sup>1</sup> Information provided by Joseph E. Ragen, Warden.

there was one employee for each 6.4 inmates. The ratio of 6.4 to one employee, or 155.2 employees per 1,000 inmates, is not greatly different from the ratio found for the number of inmates per employee in mental hospitals, but it is somewhat lower. If the parole

TABLE 30

STAFF (FULL-TIME) OF STATE AND FEDERAL PRISONS AND REFORMATORIES, BY OCCUPATION AND BY SEX, 1944<sup>1</sup>

OCCUPATION	TYPE OF INSTITUTION					
	Federal			State		
	Total	Male	Female	Total	Male	Female
Total	3,806	3,471	335	17,995	16,434	1,561
Superintendents or Wardens	24	23	1	222	201	21
Assistant Superintendents or Deputy Wardens	27	25	2	155	140	15
Stewards or Business Managers	42	41	1	247	237	10
Physicians and Surgeons	49	48	1	136	127	9
Psychiatrists	17	16	1	18	17	1
Psychologists and Psychometrists	6	5	1	36	32	4
Dentists	21	20	1	54	54	...
Graduate Nurses	34	11	23	119	41	78
Chaplains	13	13	...	115	114	1
Social Workers	12	10	2	35	23	12
Teachers (not industrial)	50	42	8	225	173	52
Industrial Employees:						
Instructors	58	54	4	385	362	23
Supervisors	106	105	1	484	472	12
Other	128	120	8	317	299	18
Farm Employees:						
Supervisors	32	31	1	222	217	5
Other	21	21	...	335	326	9
Parole Officers	46	42	4	154	127	27
Keepers, Guards, etc.	2,054	2,049	5	10,362	10,264	98
Matrons and Assistants	62	...	62	514	4	510
Clerical Employees	429	238	191	1,010	530	480
Other	230	226	4	1,107	998	109

officers who are attached to state departments of correction and of public welfare or local welfare agencies were added, the ratio would be still smaller. However, the proportions of professional personnel in hospitals for mental illness are considerably higher than in prisons and reformatories, which probably reflects the fatalistic attitude of the public toward rehabilitation of those convicted of major offenses against the law.

<sup>1</sup> *Ibid.*, Table 60, p. 102. The totals in the columns of this table differ from those used by the Bureau of the Census.

## PAROLE

Parole is a distinct part of penal administration, but it differs in that it has to do with the offender after he has been released from prison. Parole is often confused in the public mind with probation. There is no good reason for this confusion, because probation is a kind of treatment applied to persons who never enter an institution to serve sentence, and parole is a kind of treatment which is used only in the case of persons who have served time in an institution. From the viewpoint of treatment there is an important difference also; the probationer has not suffered the stigma of imprisonment, has presumably been relieved of the shock of that experience, and has not been exposed to association with hardened criminals incident to life in a prison. On the other hand, the person on parole suffers from the stigma of imprisonment and from whatever deleterious effects prison life has upon the inmate. How important these differences are in relation to the personality of the individual is not very definitely known, but it is assumed by most administrators and students of penal administration that they are significant.

**Granting Parole.** Parole may be granted by an institution board or by some central state authority or by some combination of these two. When parole is properly administered, it is an orderly method of returning the individual to society. Less than 2 per cent of persons committed to prison die in an institution. In other words about 98 per cent of all persons who enter a prison emerge at some time or other. Consequently, the intemperate attacks upon parole in general by some newspapers and occasionally by some officials do not make sense. The proper point of attack is not parole as such but rather the adequacy of the machinery for granting parole or the organization for supervising the released prisoner. Of the persons released from prison in 1944 only 43.7 per cent were paroled; the other 56.3 per cent, except those who died, were released without any supervision.<sup>1</sup> Thus, more were released without supervision than were released with supervision. It might be useful to set up a carefully planned study of persons released on parole and persons given unconditional release to determine in comparable cases how much contribution parole supervision makes to the success of the ex-prisoner.

The procedure for granting parole is of paramount importance.

<sup>1</sup> *Prisoners in State and Federal Prisons and Reformatories, 1944*, p. 4.

If a prisoner is released on parole just because he has served his minimum sentence, then the dice are loaded against his success on parole. The prisoner's entire record in the institution, information obtained from special examinations prior to the parole hearing, and the known opportunities he has for reabsorption into the community should be studied thoroughly as the basis for granting parole at any particular time. A number of studies of factors associated with success or failure on parole have been made. The most recent extensive study was that reported in *Attorney General's Survey of Release Procedures* in 1939. The findings of this study were as follows:

1. Whites had better records on parole than Negroes;
2. Married persons were more likely to succeed than unmarried persons;
3. First offenders were better risks than recidivists;
4. Offenders arrested for the first time after the twenty-second birthday were better risks than those arrested prior to the eighteenth birthday;
5. Little difference was found between the "lone wolf" type of offender and the "gang" type;
6. Little relation was found between the type of offense and success;
7. Offenders sentenced for short terms in prison were more successful on parole than those sentenced for long terms;
8. Employment prior to commission of the crime and during parole was favorable to success;
9. Failures on parole were proportionately more frequent among offenders returning to metropolitan areas than among those returning to rural areas;
10. Parolees who had wives to receive them upon release rarely violated parole;
11. Native-born persons had worse records than those of foreign birth;
12. Offenders who behaved well in prison were better risks than those who behaved badly in prison.<sup>1</sup>

The results of this study refer only to success on parole; they do not follow the prisoners after release from parole to determine what their experience was five or ten years after discharge from parole. But it is reasonable to assume that the records would not have been better, and probably would have been worse, if they had been released without supervision.

<sup>1</sup> *Attorney General's Survey of Release Procedures*, 1939, Vol. IV, "Parole," pp. 488-490. For two other careful studies of this problem see *Parole and the Indeterminate Sentence* by Andrew A. Bruce, Albert J. Harno, and Ernest W. Burgess, 1928; also "Factors Entering into the Success or Failure of Minnesota Men on Parole," by George Vold, *American Journal of Sociology*, Vol. 240, 1930, pp. 167 ff.

**Supervision.** Good supervision of the parolee is no less important than good procedure for determining the date of parole. "To make a parole 'contract' with such a man, to impose conditions which he is told he must meet if he is to remain at large, and then to permit him freedom without surveillance is not fair either to society or to the parolee."<sup>1</sup> Parole is a problem of social case work, and at no point is this more true than during the period of supervision. Obviously supervision by volunteer sponsors is unsatisfactory; it must be done by a person who is skilled in the technique of case work and who knows the special problems of case work with parolees. In the past what has been called supervision consisted largely in having the parolee write to his officer occasionally or possibly report to some office periodically. That is supervision only by courtesy. The parole officer, says the Attorney General's report, "must know accurately the financial condition of the parolee, assist him to budget his income, and strive to inculcate in him habits of thrift. Often he must arrange for medical care and hospitalization, not only of the parolee but also of his wife or children. In times of unemployment and financial distress he must provide the parolee with moral support and seek for him material relief for his troubles."<sup>2</sup> When some understanding of psychiatric problems is added to this list of things the parole officer must know or do, you have the framework of good social case work. If the parole officer is going to do respectable social case work, and hence make his largest contribution to the rehabilitation of the former prisoner, he must have a case load sufficiently small to be able to do whatever is necessary in any case. Circumstances affect the size of the load which can be carried successfully, but it is clear that fewer rural cases than urban cases can be carried because of the amount of travel involved.

There is an increasing tendency to centralize the supervision of parole in the state department of public welfare or some other state department. Twenty-six states had centralized supervision in 1939.<sup>3</sup> But the adequacy of supervision is not indicated by the mere fact of central control; Illinois had 94 parole officers in 1939, but Iowa had only 2 full-time officers.<sup>4</sup> It requires no great imagination to see that the Iowa officers were doing only nominal supervision. Outside of Cook County in Illinois there were 40 parole officers for all the other counties. Although this was a large number, as compared with

<sup>1</sup> *Ibid* (Attorney General's Survey), p. 187.

<sup>2</sup> *Ibid.*, p. 221.

<sup>3</sup> *Ibid.*, pp. 193, 196.

<sup>4</sup> *Ibid.*, pp. 193-194.



TABLE 31

MOVEMENT OF PRISON POPULATION, BY TYPE OF INSTITUTION, FOR THE UNITED STATES, 1944 AND 1943<sup>1</sup>  
 [Excludes statistics for State institutions in Georgia and Mississippi]

	ALL INSTITUTIONS		FEDERAL INSTITUTIONS		STATE INSTITUTIONS*	
	1944	1943	1944	1943	1944	1943
MOVEMENT OF POPULATION						
Prisoners present January 1	130,805	144,295	16,113	16,906	114,692	127,389
Admitted during year	62,765	63,249	16,142	14,155	46,623	49,094
Received from court	50,586	50,606	14,047	12,203	36,539	38,493
Returned as a conditional release violator	6,946	6,557	599	708	6,347	5,849
Returned from escape	2,089	2,026	76	73	2,013	1,953
Returned by court order	176	148	.....	1	176	147
Other admissions	2,968	3,822	1,420	1,170	1,548	2,652
Transferred from other institutions	13,967	14,640	3,289	2,206	10,678	12,434
Discharged during year	65,669	75,999	14,127	14,728	51,542	61,271
All releases	57,745	67,340	12,457	13,190	45,288	54,150
Unconditional release	20,188	23,855	4,401	4,236	15,787	19,619
Expiration of sentence	19,783	23,606	4,263	4,223	15,520	19,383
Pardon	70	50	4	.....	66	50
Commutation	335	199	134	13	201	186
Conditional release	37,557	43,485	8,056	8,954	29,501	34,531
Parole	28,689	32,865	3,272	3,101	25,417	29,764
Conditional pardon	822	1,106	.....	.....	822	1,106
Other conditional release	8,046	9,514	4,784	5,853	3,262	3,661
Death, except execution	756	852	65	73	691	779
Execution	63	80	.....	.....	63	80
All other discharges	7,105	7,727	1,605	1,465	5,500	6,262
Escape	2,370	2,321	63	65	2,307	2,256
Court order	1,104	662	83	130	1,021	532
Other discharges	3,631	4,744	1,459	1,270	2,172	3,474
Transferred to other institutions	14,792	14,896	3,278	2,426	11,514	12,470
Prisoners present December 31	127,076	131,289	18,139	16,113	108,937	115,176

\*Includes county prisoners in Alabama.

<sup>1</sup> *Prisoners in State and Federal Prisons and Reformatories, 1944, p. 4.*

many other states, it is doubtful that they can adequately cover so large a territory. Indiana has initiated a promising arrangement by which the county departments of public welfare do a considerable amount of the local supervision; the district parole officers supervise some prisoners directly, but for the most part in over two thirds of the counties they work through some social worker on the staff of the county department of public welfare. The county workers are likely to know more about a parolee's family and general circumstances than would a district agent. The great weakness of parole supervision has been its unprofessional character and its superficiality. The Indiana plan seems to offer promise of coping with both of these weaknesses.

### PRISON POPULATION

Penal administration from the viewpoint of the number of prisoners is a large problem of government. Table 31 shows the number and movement of the prison population in 1944. While the Bureau of the Census did not report "movement of population" by sex in 1944, evidence exists to show that the proportion of females in the prison population is usually less than 5 per cent. About 90 per cent of those who escape from penal institutions are caught and returned. Another interesting fact brought out in this table is the considerable decline in prisoners in state institutions, while during the year there was an increase of federal prisoners. The number of all prisoners reached a high point of 165,585 on December 31, 1940. It has declined slowly since that date.<sup>1</sup>

### QUESTIONS

1. What are the objectives of care of the adult offender?
2. Distinguish between probation and parole.
3. What are the special characteristics of case work with probationers and parolees?
4. How would you reform the jail system in your state?
5. Describe the types of penal institutions which may be found in the country at the present time.
6. What is meant by "classification" of prisoners?
7. Diagram the administrative organization of a penal institution in your state.
8. How would you organize the supervision of parole in your state to obtain better case-work treatment?

<sup>1</sup> *Prisoners in State and Federal Prisons and Reformatories, 1944*, p. 6.

## CHAPTER XV

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### WORK PROGRAM FOR THE UNEMPLOYED

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The first work program for the able-bodied unemployed seems to have been created by the English Poor Law of 1601. This act provided "for setting to work the children of all such whose parents shall not by the said Churchwardens and Overseers, or the greater Part of them, be thought able to keep and maintain their children; and also for setting to work all such persons, married or unmarried (as) having no Means to maintain them, use no ordinary or daily Trade of Life to get their Living by."<sup>1</sup> All persons unable to work were to be given direct relief. The aim of this old statute was partly to reduce the cost of direct relief and partly to test the willingness of the unemployed child or adult to work for his living. Later when "workhouses" were established, the work test became a "workhouse test." The reasons for the work test and the workhouse test under the English Poor Law were not identical with those which led to the establishment of the great work programs in this country during the depression of the 1930's. Nevertheless, as in this country in the present century, it was believed that work was superior to direct relief in its moral effect on the unemployed workman. It is an interesting commentary on the history of the English Poor Law that during the depression of the 1930's a work program for the unemployed was not revived, but on the contrary the largest and best-organized system of unemployment assistance Great Britain ever had was created alongside of the unemployment insurance scheme.

While the recent work programs in the United States were designed to mitigate the effects of unemployment in the lives of the unemployed, an attempt has been made to differentiate them sharply from other forms of financial assistance and from conventional public works plans. The basis of eligibility for work-program employment was changed several times. It was at various times (1) the

<sup>1</sup> Quoted by Breckinridge, *Public Welfare Administration, Select Documents*, p. 18.

mere fact of unemployment, (2) unemployment and eligibility for direct relief, or (3) receiving direct relief. Throughout the decade of the depression assistance to the unemployed by means of work has been defended as more self-respecting than direct relief, better for the morale of the unemployed, a means of maintaining work skills, and a contribution to publicly owned wealth and community services. In contrast, direct relief was believed by many to be destructive of individual initiative, wasteful of human energy, and an incentive to pauperism among the work-shy. Direct relief was assumed to be the proper method of giving material aid to those unable to work, but work was the appropriate means of aiding the able-bodied unemployed. This viewpoint had crystallized in government circles by the end of 1934, and in his message to Congress in January, 1935, President Roosevelt announced the determination of the federal government permanently to "quit this business of relief."

Work relief, a term by which federal work programs of the W.P.A. type may be designated, is differentiated not only from direct relief, but from conventional public works. It stands between these two activities. It is intended to provide a subsistence income from useful employment under government auspices. Public works are those activities which federal, state, and local governments normally carry on, such as the building of roads or post offices. Labor is usually sought in the open market, and the employment status of the worker is not a consideration. Under authority of the Federal Emergency Relief Act a vast public works program was set up and administered by such agencies as the Public Works Administration and the Civilian Conservation Corps; but a means test was applied to determine eligibility for enlistment in the latter. The large sums of money made available for the public works program were expected to give employment to a considerable number of the unemployed and so to stimulate private industry that many more thousands would be called back to regular private employment. It was expected also that the work-relief program would give some stimulation to private industry, but the administrative approach was different. This distinction is clearly stated in a publication issued by the W.P.A.:

"Traditionally, public work is a way of creating a school or a road or providing a service for public use. Building the school is the primary idea. That it gives work is only incidental.

"With the WPA, however, public work is a way of using or salvaging labor that otherwise would waste in idleness. The WPA begins with the people who need jobs. They are employed so that they can earn a living, and useful work is selected, from among the community's needs, which they can do well."<sup>1</sup>

Hence, work relief begins with the individual in need of employment, as does direct relief, but it seeks useful public work which needs to be done, and therefore bears a resemblance to public works. The Roosevelt administration wanted to think of the WPA as a public works, rather than a relief agency, because, when the new Federal Works Agency was created by executive order and organized in July, 1939, the WPA was one of the independent federal agencies put under its authority.

#### TYPES OF WORK-RELIEF PROGRAMS

There have been four distinct varieties of work-relief programs since 1929. One of them was state or local and had many variations; the other three were federal in origin and were to a large extent controlled by the federal government. The four programs were: (1) the work-for-relief schemes of the states and local communities, (2) the federal Civil Works Administration (CWA), (3) the Federal Emergency Relief Administration (FERA) works program, and (4) the federal Works Progress (or Projects) Administration (WPA).

**Work-for-Relief.** Early in 1930 thought began to turn toward work as a means of weeding out malingerers among those seeking relief. Relief in kind was more common than cash payments, and in its cruder forms work-for-relief was work for grocery baskets with perhaps a little cash for other things. Late in 1930 New Jersey authorized counties and municipalities to levy a special tax to pay the cost of work-relief projects, and the Wicks Act in New York about the same time provided means of financing such activities for the unemployed. These state acts were in theory moving away from the crude application of the principle of work-for-relief, but they had not escaped it in practice, and they were still concerned largely with preventing the work-shy from having an easy life. Ordinarily under these early programs the worker simply put in enough hours

<sup>1</sup> *Inventory, an Appraisal of the Results of the Works Progress Administration*, Works Progress Administration, 1938, p. 7. Notice the abbreviation WPA instead of W.P.A.; in fact both forms of such abbreviations are in common use, and for convenience the period will be omitted in the remainder of this text.

per week or month on a job at the assigned wage scale to earn his relief allowance. The idea of providing more adequate subsistence through a work program came later under the federal schemes.

The state and local work-for-relief programs have quite generally been discredited in the minds of both social workers and the public, although the Chicago Relief Administration revived the practice in the summer of 1939. The federal programs have shown great instability in both money provided and administrative organization, but their economic and social standards have been more satisfactory.

**FERA Work Program.** The works program under the Federal Emergency Relief Administration was in operation from the passage of the act in May until December, 1933, and then again from April, 1934, until November, 1935. The act authorized grants to the states "to aid in meeting the costs of furnishing relief and work relief."<sup>1</sup> State relief agencies were designated as the representatives of the FERA, and they proceeded to develop work projects to which the unemployed could be assigned. Most of these projects were arranged by the local public relief agencies. The FERA required that the rate of wages should be fair for the work performed but that the total earnings per week or month were to be sufficient only to "prevent physical suffering and to maintain minimum living standards."<sup>2</sup> Any needy unemployed person whose available resources were inadequate to provide the necessities of life was eligible for work relief. The state law regarding the liability of relatives for support was to be enforced, and visits to the home of the needy family were to be made not less often than once a month in order to determine continuing eligibility. Payment of wages could be by cash, check, or kind. For the most part wages were paid by check. The act presumed that the states and localities would pay three fourths of the cost of the works program, but this proved almost immediately to be impracticable, and the federal government was soon paying more than three fourths of the cost in many states. From December, 1933, to March, 1934, inclusive, the work program was transferred to the Civil Works Administration and operated on a different basis, but on April 1, 1934, the work program was back under the regular FERA, and funds again were available to provide employment only for those in need of relief. This program, administered by the states under increasingly stringent federal regulation, came to an end in November, 1935. Its special features were

<sup>1</sup> See Public No. 15, 73rd Congress.

<sup>2</sup> FERA Rules and Regulations No. 3.

(1) the provision of useful work to unemployed persons, (2) at what was deemed fair wage rates, (3) for a sufficient number of hours per week to finance the subsistence budget of the family. It was an attempt to guarantee a standard of living compatible with health and efficiency.

**CWA Work Program.** Suddenly, on November 8, 1933, a communication went out from the Administrator of the FERA to the state administrators announcing the creation of the Civil Works Administration. In his telegram Harry L. Hopkins said, "The purpose of this agency is to provide employment to 4 million persons able and willing to work, now unemployed. The first task of this agency will be to provide regular work at regular wages for the 2 million now on so-called work relief. The Federal Emergency Relief Administration will name its State and local emergency relief administrations as State and local Civil Works Administrations."<sup>1</sup> The other two million persons to be given work under the CWA were simply unemployed; they were not necessarily in need, and they were not receiving relief. The CWA was a great dramatic splurge. An attempt was made to define, plan, and set up useful work projects which would absorb four million persons within a month. All persons seeking employment in the program were required to register with the National Reemployment Service, partly as a means of centralizing the placement machinery and partly as a gesture of co-operation with the National Recovery Administration. Many useful projects were set up and carried through, but so much of the work was of the "leaf-raking" type that the CWA soon aroused serious public opposition on the ground that much of the work was trivial and that all of it was excessively expensive. By the end of March, 1934, approximately \$718,000,000 was spent on this program.<sup>2</sup> The program was rapidly liquidated during March, and the projects were transferred to the FERA. This resulted in the discharge of all persons who were not eligible for relief, and a readjustment of projects to suit the limitations imposed by less varied labor resources.

**WPA Work Program.** The Works Progress Administration differed from previous work programs in two important respects: first, it was strictly a federal program, while the others had been

<sup>1</sup> Quoted by Doris Carothers, *Chronology of the Federal Emergency Relief Administration, May 12, 1933, to December 31, 1935, 1937*, p. 27.

<sup>2</sup> Anne E. Geddes, *Trends in Relief Expenditures, 1910-1935*, Research Monograph X, 1937, p. 73.

federal-state administered, and, second, wages were paid on a so-called "security" basis instead of a budget basis. A Division of Applications and Information was created for the purpose of receiving, examining, and recommending projects to the Advisory Committee on Allotments. After due consideration the Advisory Committee was to recommend to the President allotments of funds to carry out the projects which were acceptable.<sup>1</sup> Eligibility for employment in the new program depended upon two conditions: registration with the public employment service and eligibility for relief.<sup>2</sup> The country was divided into four regions in 1935 for wage-scale purposes. A different "security wage" in each of these regions was fixed for unskilled workers, skilled workers, and professional and technical workers. The wage fixed was assumed to be adequate to maintain a standard of living adequate for health and efficiency, and 3,500,000 unemployed, needy persons were to be given employment by November 1, 1935. Only one person in a family could be employed, and the size of the family was not considered in determining wages; consequently, large families found the amount of earnings insufficient to meet minimum subsistence needs.

Centralization of the WPA in federal hands had led to serious criticism and to difficult administrative problems. It was widely charged that the gigantic WPA work program in 1936 was used to assure the return of the Democratic party to power. The use of the WPA for partisan purposes during the Congressional election of 1938 was even less veiled. In Kentucky and Pennsylvania it was charged that members of Congress and local officials brought pressure to bear upon WPA administrators to utilize the work program to retain incumbents in power; Senator Sheppard's committee on election expenditures turned in a report which appeared mildly critical of what was done, but the implications were much more serious. Central control and small financial participation by the states contributed to the dangers of this kind of organization; so long as the money was coming from the federal government, state and local officials had to suffer no serious public criticism for lavish expenditures. This situation lent itself to the President's attempt to "purge" certain members of his own party who were too independent in Congress. If the states had paid a larger share of the cost of WPA and had been responsible for administration, while the federal government determined standards of service and enforced these through its own

<sup>1</sup> Executive Order No. 7034.

<sup>2</sup> Executive Order No. 7060.



financial power, the distortion of a relief program for partisan purposes would have been less easy and there would probably have been more care in spending money.

### ADMINISTRATIVE PROBLEMS

The variety of work-relief programs which have appeared in the country since the beginning of the depression indicates the existence of peculiar administrative problems. Programs have been changed because of the high cost, and they have been changed because of dissatisfaction with them as relief measures. Work relief requires a greater outlay of funds per case on account of the expenditure for materials and equipment, and the relative inflexibility of the wage scales creates hardships in large families.

**Project Planning.** Work projects must be found which are useful and which are additional to the regular activities of local and state governments. The aim is to increase the number of jobs in the community, but if WPA workers displace clerks and janitors in the city hall, then the project fails to create new jobs; it becomes merely a way of easing the pressure on local government to levy taxes, and there is no gain in employment. Furthermore, if a good quality of work is to be turned out, the project must be such that it requires the occupational skills represented among the unemployed, and if the skilled workers are to retain their skills, the work must be suitable to them and such as to avoid loss of skilled hands or eyes. The project preferred is one which provides a maximum amount of labor in proportion to the cost of materials and equipment.

The following hypothetical procedure for the development of projects was given in a WPA publication:

"To better understand the operation, let us take a hypothetical community with 100 needy employable persons and a total of \$100,000 in Federal and local funds available to keep them at work for a year.

"First, here are the occupational characteristics of the 100 people: 4 carpenters, 2 bricklayers, 2 painters, 1 electrician, 2 plasterers, 4 truck drivers, 18 mill operatives (male), 8 mill operatives (female), 22 unskilled laborers, 3 bookkeepers, 1 barber, 4 stenographers, 2 automobile mechanics, 1 radio operator, 3 real estate agents, 2 boilermakers, 1 locomotive engineer, 1 music teacher, 1 millwright, 1 baker, 2 welders, 1 detective, 4 janitors, 2 elevator operators, 1 shirt maker, 2 wood choppers, 3 cigar makers, 2 teachers.

"The Mayor asks the local WPA representative to meet with the City

Engineer and council. The Mayor already has a list of projects the city has needed for a long time.

"Outstanding is the need for a new junior high school. The four-room building which has been planned is not enough to warrant status as a Public Works Administration project, and it is decided that the 4 carpenters, the 2 bricklayers, the 2 painters, the 2 plasterers, the electrician, 2 of the truck drivers, and 8 of the unskilled laborers can be used to build the school as a WPA project. The amount of \$20,000 to cover this work is agreed upon, the city contributing \$6,000 for the hire of 1 supervisor, 1 foreman, and 1 steamfitter, not on relief, and for purchase of necessary material.

"The next project decided upon might be the paving of 12 blocks on Main Street. This project would take 10 of the 18 male mill operatives, 10 of the unskilled laborers, 1 of the bookkeepers, the 2 remaining truck drivers, 2 of the janitors, and both of the wood choppers. It might be approved in the amount of \$27,000, with the city contributing \$5,000 for materials.

"The third project might be a sewing room designed to give employment to the 8 female mill operatives, 1 of the stenographers, and the 3 cigar makers. This project would be approved in the amount of \$12,000 with the city contributing \$2,000 in the form of material. The products of the sewing room would, of course, be given to local welfare agencies for distribution to needy unemployables.

"And so the conferees would go down the list, selecting projects of various kinds, until some kind of work was provided for the 100 destitute unemployed, and a reservoir of other projects was made available for future needs and for changes in the numbers or aptitudes of the unemployed. Something like this has occurred in nearly every community in America."<sup>1</sup>

This hypothetical case illustrates the major problems which arise in connection with work relief in any community. The city officials find that they can obtain a certain amount of money during the year for projects, provided that they put up a small amount, and they proceed to make a list of all the things which they would like to have done. Some of these things are unsuitable for projects, because the occupational skills among the unemployed are limited. Therefore, certain possible projects are rejected for lack of the right kinds of labor among the unemployed, needy families. Out of those projects remaining for which suitable labor is available, which of them meet the condition that a WPA project must not be something which the local government would normally do in the course of the year's

<sup>1</sup> *Inventory (op. cit.)*, 1938, p. 8.

municipal business? Would the community build the junior high school or pave Main Street? The mayor and the city council assured the WPA representative that these things would not be done, but that meant that the city fathers "took a position" that these things would not be done and made no provision for them in the current budget, perhaps because they anticipated the possibilities of having the federal government pay for them as WPA projects. There was no really objective way of knowing whether the school would be built or the paving laid without WPA help; the decision was one which involved "bargaining," and the WPA representative had taken pains to convince himself that the projects were suitable under the rules and regulations. Undoubtedly, the states and local communities of the country received services and construction worth tens of millions of dollars, mainly at the expense of the federal government, which were in the American tradition the responsibility of the state or locality.

Since work-relief projects must be done under the auspices of some unit of government, these projects will be concerned with services of construction which public opinion admits are proper governmental enterprises. Consequently, it is always a question whether a WPA project of this sort is taking over municipal functions which should be performed by the municipality at standard wages and salaries. The sewing project is different; it is a venture of government into what is normally regarded as private business, but under the circumstances existing it is not so regarded. If the work-relief projects were to be clearly outside the normal governmental budgets, they would have to be largely in the nature of industrial enterprise, and that might result in throwing people out of work with private employers. The planning of work-relief projects is, therefore, faced with a dilemma which cannot clearly be evaded.

**Labor Supply.** The labor supply for work-relief projects consists of the able-bodied, needy unemployed. It fluctuates with the demand for labor in private employment. The regulations under which WPA operated always provided for the release of any worker who had an opportunity to take private employment. Presumably that was done in most cases, but it created serious difficulties on projects which required several months or years to complete. Superintendents and foremen were usually nonrelief employees who received wages or salaries at the regular scales, not the "security" scales. The governmental agency which sponsored the

project wanted to get the job done. Consequently, there was a temptation for the superintendents and foremen, in order to complete the project in normal time, to hold certain of their skilled WPA workers instead of allowing them complete freedom to leave for private employment. How serious this matter was cannot be determined with any degree of finality, but it was unquestionably a potential brake on the mobility of labor.

When private employment is increasing, work-relief employment is decreasing. A sudden demand for workers in some important local industry may virtually close down a work-relief project, because certain indispensable skilled workers are called out or because too many workers of all kinds have been called back to private employment. As long as there were many more idle workers than WPA jobs, this situation was not likely to occur except when the few unemployed skilled workers were called back to their private jobs. That perhaps suggests that the best work-relief project is a short-time project and that funds for work relief ought to be much less than enough to create work for all the able-bodied, needy unemployed. Short-time projects would reduce the incentive of sponsors to hold their workers, and a relatively small amount of work-relief employment available for a large number of unemployed would insure that hindrances to the movement of unemployed workers back into private industry would be reduced to a minimum.

But when the amount of work relief is small, compared with the number of persons seeking work, the WPA worker is loath to quit his job and accept one in private employment, unless he is convinced that it will be of long duration. Experience during the great depression showed that locally there might be a spurt in private employment for a few weeks or months, then men were laid off again. Meanwhile, their WPA jobs had been taken by others, and there was no work for them. Hence, when there were fewer jobs on work relief than there were workers, a WPA worker hesitated to quit and take private employment lest he find himself totally unemployed again with no prospects of even a work-relief job. This situation, aided and abetted by the conscious or unconscious tendency of foremen to hold their men for the duration of the project, tended to develop a group of "professional" work-relief employees.

**Between Projects or Jobs and Projects.** Few WPA workers were employed all the time. A project was finished, then the worker was idle until he could be transferred to another project. Or he quit a

work-relief job and took private employment which terminated and left him unemployed; then he had to wait for re-certification for eligibility and re-assignment to another work-relief job. What happened to the worker during these periods between projects or between private jobs and projects? If, like most of the WPA workers, he had no savings, he had to seek direct relief, and he underwent a waiting period during which the agency made an investigation and determined eligibility for direct relief. All of these things made the worker try to hold on to any security which he had in WPA employment, and they were factors in stimulating or impeding the mobility of labor. Since the early federal work program of 1933 there has undoubtedly been progress in co-ordinating the machinery for certification, assignment, release to private employment, and re-certification to relief or work relief, but much remains to be done, if work relief is to become a permanent part of the relief system.

#### RESULTS OF WORK RELIEF

The principal justification for a work-relief program alongside of, or instead of, direct relief has been that work maintains the morale of the individual worker better, and that useful projects increase the public wealth or well-being of the community. It is certain that the public favored the work-relief program; otherwise Congress would not have made successive billion-dollar appropriations for it. With the same amount of money, more nearly adequate subsistence could have been provided through direct relief, but the peculiar advantages which are claimed for work relief would have been sacrificed. At the peak of WPA, 3,330,000 were employed.

**Effect on Morale.** The effect of work relief on the morale of the worker has not been definitely determined. It cannot be accurately measured, but some facts exist which bear upon this question and which give some basis for a judgment. In the first place, the unemployed seem to prefer work-relief employment to receiving direct relief. The waiting list of those certified for WPA employment is always high. In the second place, WPA employment enables the worker more nearly to carry on his normal, everyday life pattern which private employment, when available, makes possible. He leaves his home during the day, he has a job and can tell his friends that he is employed, he returns home after work, he receives wages, and he and his family may spend his earnings as they see fit. To

obtain what one wants and to fit into the normal pattern of social life are undoubted supports to the morale of individuals and families. They have never at any time been extended to all able-bodied workers, because funds were not available and because, even if funds had been available, it is doubtful that enough projects of a public nature could have been found. Consequently, many of the unemployed have not been given these supports to morale at all or have had them for brief periods only.

Work relief, as it has become familiar in this country, may have done damage to morale at times. There is ground for believing that the morale value of work relief is affected by the worker's estimate of the usefulness of the project upon which he is working. "Boondoggling" projects do not elicit much respect from the worker, and if he is a skilled or white-collar worker digging ditches or raking leaves, his morale probably suffers. Another situation in which no contribution is made to morale is that of a project on which many more workers are given assignments than can in fact work effectively. It would be difficult to prove beyond cavil that too many persons had been assigned to a project, but it was not an uncommon occurrence to see on street, road, and park projects so many assembled at a point that they interfered with one another, and some of them had to back away and lean on shovels while others worked. Under such circumstances work-relief employment lacks the discipline which private employment demands; it tends to develop careless habits of work and to reduce the speed of work to a point below what is normal.

**Increase of Public Wealth and Well-Being.** The contribution to public wealth and well-being which work relief has made is obvious. Nearly 80 per cent of all WPA funds have been spent for construction work: roads, bridges, public buildings, parks and playgrounds, water works and sewers, conservation, and aviation. "About one-fifth of the WPA program is devoted to nonconstruction projects of all types. Sewing projects are the largest type in this group, aggregating more than 7 per cent of the total WPA activity, while professional and clerical projects make up almost as large a total. The emergency education program represents slightly more than 2 per cent, the recreation program slightly less than 2 percent."<sup>1</sup> More concretely the additions to public wealth and services are indicated by the following physical accomplishments on WPA projects through October 1, 1937: 46,649.7 miles of highways, roads, and streets, and

<sup>1</sup> *Inventory (op. cit.)*, p. 11.

5,156.3 miles of sidewalks and paths constructed; 130 new airports built; 1,534 athletic fields, 881 parks, 1,303 playgrounds, and 731 ice-skating rinks built; 4,295 miles of water mains, aqueducts, or distribution lines, 243 sewage treatment plants, and drainage facilities for 2,043,552 acres provided; 32,854 acres reforested, 625 plant and tree nurseries established, 24,688,109 rodents destroyed, and 59,013 acres of oyster beds planted; 95,028,273 garments made in sewing rooms; 283 dental clinics and 96 medical clinics conducted; average monthly attendance at art classes 55,231, and at music classes 140,321; 1,501 theatrical productions; large numbers of various kinds of historical surveys made; 100,145 educational classes conducted in October, 1937; 14,785 community centers operated.<sup>1</sup>

The value of specific projects to the community or the nation varied widely, but that the public had many solid gains cannot be denied. The WPA conducted a survey to obtain the opinions of city, county, and state officials as to whether or not the projects completed or in process could have been carried out without federal aid and the labor of the unemployed. The returns indicated almost unanimous belief that few of them would have been undertaken without some such federal aid as the WPA provided.<sup>2</sup> Of course, the objectivity of these opinions may be questioned: first, because those who replied had benefited in some way by the program and hoped that Congress would continue to make funds available; second, because many of the respondents were employed directly or indirectly by the WPA and therefore were biased in its favor. But even if due allowance is made for bias and special interest, the physical results of WPA labor stand as evidence that, while a large number of the population were earning a modest subsistence at the expense of the taxpayer, the taxpayer was receiving in some measure a *quid pro quo*.

**Enhancement of Values of Private Property.** One incidental result of many work relief projects had been the enhancement of adjacent private property values. The construction of a levee to prevent the overflow of a river made the land adjacent thereto more valuable, because the risk of inundation was reduced or removed completely. The construction of county roads made farms off the main highway more accessible and hence more valuable. Construction of streets and sidewalks made residential districts and shopping centers more desirable, increasing the value of privately owned real estate. Airport construction or improvement was an asset to the private

<sup>1</sup> *Ibid.*, pp. 90-92.

<sup>2</sup> *Ibid.*, pp. 93-100.

air transport companies. No estimates have been made of the contribution of WPA to private property values, but it is reasonable to suppose that in the aggregate it has been very great. Direct relief would have conserved the working capacity of the unemployed and their families, but it would have made no contribution to the protection or enhancement of values of private property, except as the relief recipient is a consumer and enters the market to spend his weekly allowance.

**Cost of Work Relief.** Work relief costs more per case than direct relief. Its greater value to the community and to the worker is assumed to justify this high cost. Work-for-relief, of course, is much less expensive than programs such as those represented by the FERA, the CWA, and the WPA, but it is the latter with which we are here concerned, because they are regarded by the public as true work-relief programs. Table 32 shows how direct relief and WPA

TABLE 32  
APPROXIMATE AMOUNT OF RELIEF PER  
CASE AND WPA EARNINGS PER WORKER,  
BY MONTHS, 1938<sup>1</sup>

MONTH	RELIEF PER CASE	EARNINGS PER WORKER
January	\$24	\$52
February	24	52
March	24	52
April	23	52
May	22	53
June	22	54
July	23	52
August	23	54
September	24	53
October	23	53
November	24	54
December	25	56

earnings compared in the year 1938. The WPA earnings per person employed were somewhat more than twice as high as the amount of direct relief per case. "Case" and "worker" are approximately comparable, but not exactly so; however, the comparison suffices to show the advantage of the worker with an average family over a relief recipient with an average family. Besides expenditures for

<sup>1</sup> *Social Security Bulletin*, Vol. 2, August, 1939, pp. 41, 43. Averages computed from data in Tables 2 and 3.



wages under the work program, there was a considerable amount spent for wages and salaries of nonrelief employees and for materials and equipment. If work relief is to be a permanent policy in this country, then the relatively high costs will have to be justified by results commensurate with the costs.

That the undertaking of an expensive work-relief program may be difficult to justify is suggested by the fact that if the WPA earnings had been paid out as direct relief, the subsistence standard of relief families would have been much higher than they were. In 1938 the average monthly case load carried by general-relief agencies was 1,700,000 cases, and the average monthly number of persons employed by the WPA was 2,717,000. But the amount spent on the relief families was only \$39,672,000 per month, while the average amount spent on WPA families was \$143,523,000 (earnings only) per month. If there had been a single direct-relief program, the funds available for relief would have provided about \$41.50 per case instead of the small sums actually paid. The WPA families would have received less, but it may be seriously questioned whether there is any ethical or political justification for treating one group of the unemployed better than another group. The minimum objective of any relief program should be to maintain the physical health of both adults and children, and there has been ample evidence, in the large cities especially, that families on direct relief have been maintained at less than a subsistence standard. Chicago in 1939 is a notable example; the Chicago Relief Administration had a low subsistence budget, but because of shortage of funds it paid during a good part of the year only 65 per cent of the amount required under the budget. That meant slow starvation for many relief clients, while a smaller number of fortunate families received WPA wages which were reasonably adequate, except in the case of large families of unskilled workers. The human capital of a country is its most valuable asset, and it may be questioned whether we have conserved our human capital as well with the gigantic and expensive work-relief program as we could have done with a more adequate general-relief program.

### QUESTIONS

1. Distinguish between work-for-relief, work relief, and public works.
2. What were the principal weaknesses of the CWA?
3. If we are to have a work-relief program, would you favor a federally administered plan or a federal-state plan? Why?

4. Why have all work-relief programs stipulated that the projects must be useful and must not take the place of regularly budgeted activities of local or state government?

5. What special problems arise in connection with the planning of a work-relief project?

6. How would you co-ordinate the relief and work-relief activities in your community so as to facilitate transfer from one to the other?

7. How does work relief contribute to the morale of the unemployed worker?

8. In view of the high cost of work relief, what do you think of it as a permanent policy of the federal government?

## CHAPTER XVI

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### PUBLIC WELFARE AND SOCIAL INSURANCE

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Public welfare services of today grew out of the old Poor Law; social insurance is a departure from the poor law and represents an adjustment to the vicissitudes of modern capitalism. Historically the poor law was a practical device for maintaining the physical existence of the economically unfortunate while causing the least pain to the taxpayer. There was not until recently any idea that the public social services could be preventive or constructive. On the contrary, it was hoped that by the provision of as little assistance as possible the "lazy loafers" would be forced to go back to work! It was the experimenting of the private social agencies with reasonably adequate material aid accompanied by case-work services that within the last four decades awakened the public to the possibility of constructive welfare services administered by government. Great Britain took the first long step toward adequacy in relief grants when it provided for "out-of-work donations," "uncovenanted benefits," and "transitional benefits" after World War I for persons ineligible for unemployment insurance benefits—albeit these payments were made from the Unemployment Insurance Fund. The principle involved was finally incorporated into the Unemployment Assistance Act of 1934 and became a permanent part of the British public welfare services. It did not become a national policy in this country until the passage of the Federal Emergency Relief Act in 1933.

But the idea that the economic system is shot through with unavoidable hazards for the working population was first recognized by government with the enactment of the early social insurance laws. Ironical as it may seem, credit for this advance in social legislation goes to the imperial German government. It was on May 8, 1881, that Bismarck, as chancellor of the German Empire, sent the first social insurance bill to a national legislative body. Since

the enactment of the first German sickness insurance law in 1883, over 250 different national social insurance laws have been adopted. Table 33 shows the kinds of risk covered and the number of nations with each kind of insurance.

TABLE 33  
THE NUMBER OF NATIONS HAVING SOCIAL  
INSURANCE LAWS, BY RISK COVERED<sup>1</sup>

RISK	NUMBER OF NATIONS
Accident	64
Invalidity	31
Maternity	37
Old Age	34
Sickness	37
Survivors	24
Unemployment	26

Countries with about 90 per cent of the world's population have one or more forms of social insurance. More nations adopted social insurance laws in the quinquennium 1920-24 than in any other similar period, but the movement was still strong in the 1940's. The most impressive changes occurred in Great Britain where the Labor Government turned the Beveridge Plan into law and added some nuances of their own.

The establishment of public welfare categories for institutional services, such as juvenile correctional institutions and mental hospitals, had preceded the first social insurance laws; but unless we regard the Elizabethan Poor Law as more than an adumbration of categories, the first categories for noninstitutional services appeared with the enactment of the social insurance laws. It can hardly be doubted that the clear definition of the group covered by a social insurance law suggested the practicability of public assistance categories in later decades. Furthermore, the specifications of benefit amounts and the conditions of eligibility in the social insurance laws must have influenced the shift from the vague standards of the Poor Law to the more definite standards of old-age assistance, blind assistance, and aid to dependent children. The result

<sup>1</sup> "The Social Insurance Movement," by R. Clyde White, in *Journal of the American Statistical Association*, September, 1943, p. 363.

of this development has been a tendency, except for the method of financing and the means test, for public assistance to become more like social insurance.

The most important services of social insurance are noninstitutional. That is particularly true in this country. But the workmen's compensation laws provide for hospitalization, and, if we adopt health insurance, hospital care is likely to be one of the benefits to which insured persons will be entitled. Social insurance and public welfare are concerned with the same general problems, but attack them by somewhat different methods.

#### GOVERNMENTAL LOCUS OF ADMINISTRATION

Public welfare services were originally administered by local governments. By the time of the American Revolution a few colony-wide agencies had been established, and in the nineteenth century the states assumed more and more responsibility. The care of the insane, mental defectives, the blind, the deaf, and felons has become almost entirely a state function. In recent decades the federal government has developed its own institutional facilities for the care of prisoners, lepers, insane federal employees and residents of the District of Columbia, and sick federal employees.

Since the passage of the Federal Emergency Relief Act the federal government has become the most important governmental unit concerned with public assistance. Local governments have declined in relative importance, and under pressure from the federal government the state governments have greatly extended their public assistance activities. The federal government administers the work-relief program, and it determines minimum standards for, in addition to paying half the cost of, old-age assistance, blind assistance, and aid to dependent children.<sup>1</sup> When the Works Progress Administration was created late in 1935, the federal government withdrew most of its participation in direct relief, but since 1943 the Wagner-Murray-Dingell bills have sought to assure federal aid for general relief. In most states general poor relief is chiefly the responsibility of counties, municipalities, or townships, but a few states have a relief system in which the state government partici-

<sup>1</sup> Payment of half the cost of aid to dependent children became effective January 1, 1940.

pates by contributing money and by exercising some supervision. The movement is unmistakably in the direction of placing more responsibility for public welfare services upon the higher levels of government and, where the local governmental unit has public welfare functions, to subject it to some measure of supervision and control from the state.

Social insurance in this country has always been administered by either the state or the federal government. Workmen's compensation is entirely decentralized; the federal government administers workmen's compensation laws for federal employees and for dock workers, and for workers in the District of Columbia. Unemployment compensation is a federal-state system, similar to that for old-age assistance, blind assistance, and aid to dependent children. Old-age and survivors insurance is strictly a federal activity. It is, therefore, obvious that there is no consistent pattern for the administrative organization of either public welfare services or social insurance. Local governments have no responsibility for social insurance, but otherwise administrative organization is as varied as it is in the case of public welfare services. It would simplify administrative procedure and contribute to co-ordination of functions, if a common pattern could be agreed upon and established.

#### COVERAGE AND ELIGIBILITY

The question of who may receive payments and under what conditions is answered differently by public welfare and social insurance laws. The groups in the population to whom the two systems apply are not coextensive.

**Public Welfare.** Public welfare services are available to anybody in the population who is in need and who meets certain other conditions. General relief under the poor law, or under plans such as the FERA, is given to anyone who can satisfy the means test. The state laws are usually flexible enough to allow the relief authorities to determine a subsistence budget and to pay the amount required to meet the budget, if sufficient funds have been made available and if the relief authorities are inclined to pay adequate amounts. The only other nearly universal condition of eligibility is some stipulation regarding residence. The statute may require residence in the state, county, or township, or it may

specify legal residence in any two or all of these. The following states—and also Hawaii—do not seem to require residence as a condition of receiving relief: Georgia, Kentucky, Louisiana, and Washington.<sup>1</sup> Some statutes have other limitations on eligibility, but need and residence are the common conditions. The basic principle of the poor law is the provision of aid to any person who within the terms of the law is in need.

The public welfare categories differ from the poor law in that they represent special systems for special groups in the population. Old-age assistance is paid to all those aged persons in need who have reached a certain minimum age and meet the conditions of residence. Needy persons who are blind within the meaning of the law receive blind assistance in states having provision for it, if they can satisfy other minor conditions. Children in need likewise receive assistance in their own homes in those states making provision for it, provided that they satisfy any other conditions prescribed. Persons who belong in the institutional categories are eligible for admission to the appropriate institution, whether in need or not, but they may be required to pay the approximate cost of maintenance.<sup>2</sup> The term "coverage" belongs to insurance, but the definitions of eligibility in the statutes relating to the categories are after the legal manner of the definition of coverage by the social insurance statute. Old-age assistance is for the aged only; blind assistance is for blind people and no others; aid to dependent children is for children under a certain age; the school for the blind is for blind children only. A category singles out a definable class of the population and provides assistance out of legislative appropriations for all those who belong to the class.

**Social Insurance.** In social insurance both coverage and eligibility (or more precisely, qualifications) are always defined in terms of remunerative employment. The law provides that all persons employed in certain occupations or industries, or persons not in excluded occupations or industries, are insured, and in the case of survivors insurance certain dependents of the employee are likewise insured. Definitions of coverage differ in detail but not in principle. Contributions to or for a trust fund are made by the employer and the employee, or by the employer, or by the employer

<sup>1</sup> Lowe, *op. cit.* (*State Public Welfare Legislation*), pp. 54-60.

<sup>2</sup> Obviously no reference is made here to the care of offenders against the law, whether they be juvenile or adult. They are incarcerated or put on probation for reasons other than need, and the question of legal residence is not involved.

and the employee and the government, on the basis of wages paid or on the basis of the accident rate of the industry. When the employee encounters the hazard for which he is insured, he is entitled to receive weekly benefits on the basis of his earnings for a defined period of time, provided that he has met certain conditions of length of employment in an insured occupation and is not disqualified for any reason—the reasons for disqualification being given in the statute. The insured employee or his dependent survivors have contractual rights to benefits, and the question of need is not raised. Social insurance benefits help the worker to protect his savings and to avoid becoming dependent upon public assistance authorities for the maintenance of himself and his family.

#### METHOD OF FINANCING

The method of providing the funds with which to mitigate the effects of the common hazards of life is important. If the money is certain to be available, the individual has a measure of security not otherwise possible. If the existence of funds is dependent upon the immediate political situation, then the individual exposed to frequent hazards has little security.

**Social Insurance Funds.** Social insurance funds are assured in advance of the "insurance event." In the case of old-age and survivors insurance, the employer and the employee have each contributed up to now 1 per cent of the amount of the employee's wages. The original act provided for regular increases of rates up to 3 per cent for each contributor, but Congress postponed it. For unemployment compensation the employer contributes in most states 2.7 per cent of the pay roll to the state unemployment compensation fund, and he contributes 0.3 of one per cent of the pay roll to the federal government. Workmen's compensation laws require the employer to insure the risk of accident to his employees, under pain of being deprived of certain legal rights before the courts in case of a damage suit. The employer may insure in a state fund or in a private insurance company, or he may furnish security to the state and assume his own risk; the possibilities vary from one state to another.

Protection of social insurance reserve funds, and therefore protection of the worker's rights, is accomplished in various ways. Private insurance companies which handle workmen's compensa-



tion business are required by law to set up actuarial reserves sufficient to cover their full liability to pay compensation. In most states they are regularly inspected by the state insurance agency to make sure that they comply with the law. That is not to say that an employee who has a compensable accident never gets "gypped," because he does occasionally—in fact, much too often, and usually because of defects in the workmen's compensation law or because of poor state administration. If the principle of workmen's compensation is clearly stated in the law and the state administrative organization is adequate, there is no reason why any covered employee who is injured should fail to receive compensation. Contributions under the state unemployment compensation laws are paid to the state agencies and then are deposited to the state account in the Unemployment Trust Fund of the United States Treasury. These funds cannot be used for anything but the payment of unemployment benefits in the states from which they were received. When the worker becomes unemployed, he is entitled to receive benefits, as soon as he has satisfied the brief waiting period, for a period which may not exceed a maximum but which is in the specific case determined by his earnings or weeks of employment in insured employment. The contributions for old-age and survivors insurance are collected by the federal government and paid into the United States Treasury. The law specifies that Congress shall then appropriate each year for the Federal Old-Age and Survivors Insurance Trust Fund an amount equal to the collections. Congress might fail to appropriate the amount of the collections, but because of the large proportion of the population directly interested in the solvency of the Trust Fund it is not likely that members of Congress would run the risk to their political fortunes which would be involved in jeopardizing the payment of old-age and survivors' benefits. Hence, the payment of benefits is for all practical purposes certain so long as the contributions are large enough to meet the liabilities of the Trust Fund.

The most important characteristic of social insurance is the contractual right of the insured employee to share in the funds collected when he meets the statutory qualifications. He does not have to show that he needs benefits, and the payments, therefore, come to him as a substitute for wages and on the basis of legal right. Social insurance is essentially compulsory saving for some event which is defined in advance of its happening; the savings

are made for the insured employee or his dependents, and they may be made by him, by his employer, or by the government, or by all of them. In this country the amount of benefits, within certain maximum limits, to which an individual is entitled upon showing qualification, is a fraction of his usual weekly, monthly, or quarterly earnings. Thus it is attempted to guarantee a certain proportion of the worker's customary standard of living.

**Public Welfare Funds.** Public welfare funds are appropriated by Congress, state legislatures, county boards of commissioners, and city councils. The appropriations may be made annually or biennially, or in emergencies they may be made at shorter intervals when the legislative body is in session. Funds to meet the appropriations are raised by general or special taxes. In most cases they are received into the general fund of some governmental treasury, but occasionally a special tax is set aside in advance for public welfare purposes, especially general relief and old-age assistance. For example, Illinois had a 3-per-cent sales tax, and about one third of the amount raised by this tax went into the state relief fund for grants-in-aid to counties. In some states liquor and tobacco taxes have been assigned for public welfare purposes. The significant characteristic of public welfare financing is that money must be appropriated by the legislative body periodically, or there is no money available to pay for the services.

It is evident that there is inherent in public welfare financing an element of uncertainty that is absent from social insurance. An assigned tax resembles the contribution tax in social insurance, but while the solvency of the social insurance funds is reasonably assured by the definition of coverage and a rather precise calculation of contribution rates and duration of benefit rights, the number of relief clients is unknown in advance and cannot be estimated more than a few months at a time, and the duration of need is indefinite and unpredictable. Any person in need may receive general relief, and the number who will apply depends upon employment conditions and programs of public works or work relief. A special tax for general relief may not raise enough money to meet the needs, although the appropriation may be quite adequate. If the appropriation is made out of general funds derived from undesignated taxes, public welfare funds will be available up to the limit of the appropriation as long as there is anything in the treasury. In periods when the business cycle fluctuates within narrow limits

needs can be estimated with some degree of accuracy, and corresponding appropriations can be made and ordinarily are made. But at the beginning of an emergency, legislatures, like the public, do not want to believe the worst and make large appropriations; toward the end of emergencies they want to believe the best, whether the belief is warranted by facts or not, and they tend to reduce appropriations drastically. Consequently, the financing of general relief is subject to greater hazards than the financing of those forms of assistance which are less subject to influences of the business cycle. The need for funds to finance aid to dependent children, as defined in the Social Security Act, will probably fluctuate in a manner similar to that for general relief. On the other hand, funds for old-age assistance and blind assistance can be estimated with considerable accuracy, because the primary cause of the need in each case is biological rather than economic or social. Likewise, the financial requirements of the institutional categories can be estimated from the long-time trend of applications and admissions; institutional populations show some cyclical variations, but they are relatively slight. Another fact favoring old-age assistance, blind assistance, and the institutions is that standards of maintenance become established and are more or less taken for granted, even by legislative bodies.

Great Britain solved the problem of relief for the able-bodied unemployed and their families in 1934 by creating a new category, unemployment assistance.<sup>1</sup> Any person covered by the unemployment insurance but for some reason not qualified for benefits is eligible for unemployment assistance for an indefinite period on a needs basis and at rates specified by law for each member of the family. This act removed several hundred thousand families from the Poor Law. Unemployment assistance is financed by parliamentary appropriations. The British system brings relief because of unemployment closer to unemployment insurance in so far as the scale of assistance and assurance of funds are concerned. We have no such category in this country, unless the federal work-relief program becomes permanent and is so regarded.

The public welfare client has no contractual right to services. The law may impose a duty upon the state or locality to relieve needy persons, but general relief in this country has always been subject to the limitations, not only of funds available, but of

<sup>1</sup> *Unemployment Act, 1934*, 24 & 25 Geo. 5, ch. 29, Part II.

discretionary power residing in the local authorities. Where discretionary power is wide, legal obligations are little more definite than moral obligations. If adequate appropriations have been made for assistance of whatever kind, then there is no restriction on the administrative authorities to provide assistance to the extent of the appropriations. In most jurisdictions power exists somewhere to borrow money for assistance if the funds available are not sufficient to equal the appropriations. This adds a degree of elasticity within the limits of appropriations, but it may not be satisfactory to meet an emergency which exceeds the funds appropriated.

### CO-ORDINATION OF WELFARE AND INSURANCE

The foregoing summary statement has indicated the major similarities and differences between public welfare services and social insurance. It was shown that they may and do attack the same human problems. Because of this fact, several questions may be raised concerning the most effective welfare-insurance organization: Would it be desirable to consolidate the two services into a single type of agency for public social service? Or can the treatment of social problems be carried on satisfactorily through co-operation of the welfare and insurance agencies? Or can the advantages of each be better preserved by separate identity but close administrative co-ordination?

**The Case for Consolidation.** Consolidation of public welfare and social insurance would simplify organization and would facilitate the referral and transfer of cases from one type of service to another. It would mean the abolition of the distinction between service based upon need and service based upon contractual rights. Payments to unemployed workers, aged persons, blind persons, and dependent children, and the provision of institutional services, would be made either from general tax revenue or from a huge trust fund derived from contribution taxes. That is, by consolidation of public welfare services and social insurance a system based either upon need or upon contractual right could be established. Any other kind of consolidation would retain both poor-law and insurance principles and would be merely administrative.

A system based strictly upon poor-law principles would provide as nearly equal treatment as possible, but in a social and political democracy such as the United States it would mean fastening the

stigma of pauperism upon hundreds of thousands of people who would never be subjected to it under a social-insurance program. In a totalitarian state individual responsibility and initiative are minimized and feudal loyalty to superiors and to the state is made paramount; receiving assistance on the basis of need probably carries little stigma with it. Yet the totalitarian states retain what they call social insurance, although in the case of the Russian system and certain parts of the German system the concept of insurance becomes quite blurred. In American society, however, prestige attaches to self-maintenance, and so strong is this motive that we organized gigantic work-relief schemes which attempted to disguise the fact of relief by paying "security wages." Both covered and noncovered workers prefer the use of insurance as far as it can be carried. Benefits paid as a contractual right carry with them a dignity which we do not associate with payments based upon a means test. Furthermore, we suspect that funds are more likely to be available to pay benefits than to pay assistance. Because social-insurance benefits are paid irrespective of need, they prevent many families from becoming dependent by protecting their meager savings from immediate dissipation. Social insurance is a bulwark of capitalism and the sentiments that go with capitalism.

It may then be asked, why not convert all the public social services into a social insurance system? There would be almost insurmountable difficulties. The contribution tax and the standard benefit scale are the essential characteristics of social insurance. It is possible to estimate the probability of a hazard, such as an accident, or of a carefully defined class of the population, such as those who are employed, and then the amount of the premium, or contribution tax, required to cover the risk can be estimated. But it has not been possible outside of the totalitarian state of Russia to bring even approximately all of the services under an insurance scheme, and in Russia the institutional services are to a considerable extent outside the insurance system. In this country agricultural and domestic workers are largely excluded from social insurance, and few public employees benefit from anything except workmen's compensation. Inclusion under the social insurance system is limited to those who are employed and, more specifically, to those employed in occupations or industries not excluded from coverage. Consequently, many people encounter social hazards when they are not able to qualify for social insurance benefits.

Others exhaust their rights to social insurance benefits before they find work, recover from accidents, or, in the case of older children, reach maturity. Those who for any reason cannot qualify for insurance benefits must be cared for, and public welfare services are more flexible because the principal condition of eligibility is need. Transformation of all social services into social insurance would, therefore, seem to be impossible in this country.

**The Case for Co-operation.** Co-operation may be defined in various ways, but for our purposes it seems best to regard it as a voluntary arrangement by which two or more administrative agencies develop a routine in order to exchange information, refer cases, or transfer cases. The obligation to carry out a co-operative agreement amounts to nothing more than a promise to work together on cases which involve both agencies. If the administrative procedure is complicated or burdensome, the tendency will be to neglect the co-operative agreement. The first attempts at clearance between unemployment compensation agencies and relief agencies have been rather inadequate. Wisconsin undertook to mail copies of benefit checks to relief agencies, and Pennsylvania sent the check stubs to the state relief agency, which in turn forwarded them to the respective local relief offices.<sup>1</sup> This method of clearing is simple, but it involves delay which results in payment of relief to an individual in the same week he receives unemployment benefits. Although we have had workmen's compensation laws for over forty years, few efforts have been made to establish co-operative arrangements with public welfare agencies. The need for a close working relationship between local public welfare agencies and the survivors insurance division of the Social Security Administration became obvious some years ago, because case work and mental hygiene services are often needed in these families, and better co-operative relations have been achieved than many thought likely.

**The Case for Co-ordination.** Co-ordination of public welfare and social insurance is more than co-operation; it implies a *legal* mandate to work together, and the law should prescribe some central authority which can bring about smooth working relationships. The Social Security Administration is the federal agency for administering

<sup>1</sup> For a report on various experiments of this sort, see William Haber and Arthur Jacobs, "First Attempts at Co-ordinating the Administration of Unemployment Compensation and Relief," *Social Service Review*, Vol. XIII, June, 1939.

the old-age insurance (except for railroad workers) and survivors insurance. It is at the same time responsible for the federal part in administering the public assistance categories, and with the transfer of the Children's Bureau from the Department of Labor in 1947, it acquired over-all responsibility for the services to children provided for in Parts I-III of Title V of the Social Security Act and for certain other services which had for many years been administered by the Children's Bureau. This was desirable co-ordination. But the administration of social insurance is split three ways: old-age and survivors insurance remains with the Social Security Administration; old-age insurance and unemployment insurance for railroad workers are administered by an independent agency, the Railroad Retirement Board; and with the promulgation of the President's Reorganization Plan No. 2 under the 1949 Reorganization Act, all the unemployment security functions, hitherto in the Social Security Administration, were transferred to the Department of Labor. Unless it is the long-run plan to place all the social insurance functions in the Department of Labor—a practice in some other countries which makes sense—this most recent shuffle looks like sheer political expediency. At the state level no real co-ordination of social insurance and other public welfare services has been achieved.

### QUESTIONS

1. Discuss the differences between the origins of public welfare services and of social insurance.
2. Outline the beginnings of categories for noninstitutional services.
3. What governmental units control the various social insurances?
4. What is meant by "contractual rights" under social insurance?
5. What is the difference between benefits received as a matter of contractual right and assistance received on the basis of a means test?
6. How is social insurance financed?
7. What risks is the applicant for public welfare services exposed to because of the method of financing?
8. What kind of plan for co-ordinating the public welfare services and social insurance in your state would you propose?
9. Compare the American and British systems.

## PART THREE

### PERSONNEL





## CHAPTER XVII

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### PERSONNEL PROGRAMS

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Competent personnel and skillful management of personnel are the most important factors in good administration. Sufficient funds to carry out the purpose of the law are, of course, a primary necessity, but, given a certain sum of money to do a job, the measure of success attained is largely determined by matters relating to personnel. To the old-fashioned spoils politician, election to office demonstrates the possession of power, and he uses his power for the material benefit of his supporters; it is assumed that the job will automatically get done if the members of the right party hold the positions. Some political appointees are better administrators than others, and their superiority is usually due to their ability to select the better qualified of their followers and to organize and manage employees. But if we start with the assumption that the only reason for having public offices and public positions is to perform useful services, the technical qualifications of the employees are the first consideration, and their political affiliation is relatively unimportant. However well selected employees may be for the positions they hold, personnel management remains the next most important administrative task. The selection and management of personnel are more important in government agencies requiring professional services than in others. Public welfare administration is one of the services which require a high proportion of professional employees representing a number of different professions besides what we usually think of as strictly social work. Because public welfare deals in a unique way with the lives and happiness of people, competent personnel and skillful personnel management are indispensable.

#### CLASSES OF PERSONNEL

The classes of personnel required for public welfare administration may be indicated by reference to the training and experience of

persons who hold the positions in a department at a given time, or of persons who hold positions in a department which has a reputation for first-rate performance, or they may be represented by the titles of the positions which the employees occupy. Both methods are used, but they represent different viewpoints regarding personnel. The title of a position is some index of the specific job to be done, and in jurisdictions where employees are selected by examination the title of the position is the title of the examination. For example, in a state department of public welfare there is a position called case-work supervisor and a position called statistician. Whoever occupies one of these positions is a case-work supervisor or a statistician on the records of the department, the state auditor, and the state treasury. It is possible that the incumbents became case-work supervisor and statistician by political accolade, that the case-work supervisor had never had either training or experience as case worker, and that the professional qualifications of the so-called statistician consisted of a course in high school arithmetic and experience as a shipping clerk. In such an event it is clear that, while the position may be correctly defined, the qualifications of the appointee had no relation to the technical requirements of the job. Consequently, it is necessary to examine both the job and the holder of the job; job analysis is necessary to determine what kind of skill or professional ability is required, and examination of the applicant or appointee has to be undertaken to ascertain the nature and quality of his skill or professional ability. The types of personnel required for public welfare administration are, then, determined by the general education, professional training, and experience necessary to carry on the work of the department with understanding and efficiency.

**Varying Methods of Classification.** The methods by which classes of employees are defined varies with the viewpoint of the operating administrator or the central personnel agency, if there is one. Mr. Lewis Meriam has suggested that three types of administrators may be distinguished by their personnel methods:

"Administrative officers, with respect to their habits of analysis of positions and employees, may be roughly divided into three broad groups. The first group consists of those who are extremely personal in the sense that they think of each of their employees as an individual whom they know pretty well, whom they like or dislike, or to whom they are more or less indifferent. The second group is made up of administrators who are

extremely impersonal and think of their agencies as made up of certain positions involving fairly concrete duties and responsibilities which in turn demand reasonably definite qualifications. The third group habitually starts with a definite, clear-cut analysis of the positions, but is aware that the employee who fills the position is a human being and that no two human beings are ever just alike or have exactly the same combination of qualities. This type of administrator from time to time makes adjustments in positions and their duties, or in work assignments, so that the duties and the employees fit as nearly as possible. In the frequent adjusting of duties and assignments, he may be concerned primarily with securing immediate operating efficiency, or he may be looking ahead and deliberately training certain of his more promising employees for larger duties and responsibilities."<sup>1</sup>

Meriam's third class is intended to represent the realistic administrator who recognizes that a personnel class is a convenience but not a law of nature; the concept of a class changes with the observation of actual persons who seem to perform the duties most effectively, and the concept of the qualifications of the person for a given function changes in response to analysis of the function. The entire matter of classification is dynamic and subject to adjustment on the basis of experience.

**Professional Services.** Public welfare administration requires the co-ordination of a variety of professional services into a smoothly functioning whole. The business of the department is social service. The completed service, however, may be, and often is, the result of the convergence of a number of professional skills upon the problem. Persons trained in a school of social work or those who have been trained by the older apprenticeship method are the most numerous professional class, but there are other professional groups which have unique functions in a public welfare agency. In the classification plan of the Indiana Department of Public Welfare the professions represented include accountant, lawyer, physician, psychologist, social worker, statistician, occupational therapist, and physical therapist.<sup>2</sup> In the Cook County (Illinois) Bureau of Public Welfare are found such positions as the following: bookkeeper, lawyer, nurse, physician, psychologist, and social worker.<sup>3</sup> State hospitals for the

<sup>1</sup> Lewis Meriam, *Public Personnel Problems*, 1938, pp. 15, 16.

<sup>2</sup> *Personnel Administration and Procedure, as Installed in the Indiana Department of Public Welfare and Unemployment Compensation Division*, Public Administration Service, Publication No. 61, 1938, p. 55. The position of physician was added after this study was published.

<sup>3</sup> *Cook County Appropriations Bill*, 1939, pp. 118, 119.

care of mental cases require dentists, nurses, pharmacists, physicians, psychologists, social workers, teachers, and occupational therapists.<sup>1</sup> Prisons need chaplains, dentists, nurses, physicians, psychologists, social workers, and teachers.<sup>2</sup> In all public welfare services, except hospitals, social workers occupy most of the executive positions, and as more trained social workers become available it is probable that a still larger proportion of them will be found in the higher positions. The engineering profession is represented on the staff of the federal work-relief agencies and of some large state departments which carry on construction more or less continuously.

The occupational groups mentioned above are commonly regarded as "professions." Special educational curricula exist in universities where young people can prepare to enter these professions, and some of all the groups find employment in public welfare agencies. They still belong to their respective professions, and they make their contributions to public welfare services as members of particular professions. Public welfare service is, therefore, a program designed and administered for the good of the nation, the state, or the community, but public welfare workers represent many professions, the most common being social work.

**The Administrator.** There has been in the past considerable differences of opinion concerning the best method of securing executives in public administration, and during the 1930's we heard a great deal about the importance of getting a "businessman" when an executive position in a large public welfare agency was to be filled. Business executives move from one type of industry to another and are often equally successful in the management of several types of industry. The elected official, especially a governor, frequently feels that to important administrative positions he must, and has a right to, appoint persons of his own political party in whom "he has confidence." We have become accustomed to think of the business executive as a person with experience in the management of men and materials, and up to the time of the great depression in 1929-1939, the business executive had so much prestige that the public thought he could administer any program equally well, whether it was a business enterprise or a government department. The fact that we expected new state and federal administrations to replace incumbents with members of the successful party

<sup>1</sup> In Chapter X of this book, see pages 221-222.

<sup>2</sup> In Chapter XIV, see page 290.

reflects two prevailing opinions: first, that by tradition the successful political party had a right to the public appointive offices, and, second, that it was necessary to have members of the governing party in important offices in order to be sure that the policies of the party would be carried out. Until civil service or some other system for selecting and appointing employees on the basis of merit in a state is adopted, however, it is not only the top executives who get replaced in public office but incumbents on the second, third, and lower levels of executive responsibility. Those who favor the businessman as a public executive think mainly of one or a very few positions in a state department requiring this sort of person.

But is there such a thing as general administrative ability which can be employed equally well in managing a foundry, a hospital, or a department of public welfare? It has already been pointed out that public welfare services are carried on by persons representing many professions. Now, when someone proposes to administer a governmental agency he is going to administer it for something. He is not operating in a vacuum. Does he know how, not merely in general to manage employees, but to organize a variety of professional groups and a variety of equipment and devices to provide an individualized service to human beings? A man who has been in business all his life and has achieved success would probably be less satisfactory in a high executive position than a politician, because he would not be under the necessity and in the habit of responding to public need and sentiment as the politician is. It is a defensible position to demand that state department heads shall be in sympathy with policies of the political party in power, because they can give orders that either put the policies into effect or do not put them into effect, but there is no like defense for political appointment of the second-line executives. The latter only discuss policy and make recommendations to the higher authority; they take orders and administer policies which have been agreed upon.<sup>1</sup> They are, or should be, professional persons in public welfare administration. To quote Meriam again:

"Is administrative ability inconsistent with professional competence? Any proposal gradually to replace scientific and technical men in upper

<sup>1</sup> In the federal government assistant secretaries of departments, who are second-line executives, and certain bureau chiefs, who are third-line executives, may be exceptions to this statement; their power to make rules and regulations is often considerable, in which case it is probable that these positions should continue to be filled by appointment without reference to strict civil service procedure.

administrative positions by general administrators involves the assumption that general administrators would be more effective than the competent scientific men. The question may be asked: 'More competent for what?' Staff agencies of the research, investigational, promotional type are usually relatively small, and they present few large problems of general operation and management. They do, however, require a large measure of professional competence and professional standing. . . . The effectiveness of the work of these agencies [e.g., U. S. Public Health Service, Bureau of Labor Statistics, Children's Bureau, etc.] depends in no small measure not only on the technical and professional competence of the leader but on the extent to which the clientele of the agencies involved recognizes him as an authority."<sup>1</sup>

Ways should be perfected for selecting, for administrative positions, technical and professional persons who have administrative ability, because, as Meriam points out, some positions demand this combination of abilities. Not all technical and professional persons are good administrators, but some are, and experience has shown that if the desire to find them is strong enough they can usually be located.

It would appear, therefore, that the so-called "general administrator" (we are not considering policy-making positions here) is in fact only a general office manager. The more that professional and scientific services in federal and state governments increase, the more the general administrator becomes just the manager of the clerical staff and the supervisor of equipment. The administrator who can integrate the professional staff, the clerical staff, and the office equipment into a functioning whole is more than a general administrator and is likely to come from the ranks of the technical, scientific, or professional groups.

#### METHODS OF APPOINTMENT

The personnel program of a public welfare agency may prescribe methods of appointment in detail, or it may leave the method to the individual administrator working under whatever the pressure may be to which he is exposed. The latter may be referred to as unregulated appointment of public employees. Methods of appointment which follow prescribed rules are usually referred to as civil service or special merit systems. No particular method of appointing public personnel is a guarantee that good personnel will be secured or

<sup>1</sup> Meriam, *op. cit.* (*Public Personnel Problems*), pp. 318, 319.

that good administration will follow. The general policies adopted require efficient, sympathetic, intelligent day-to-day administrative procedure, and a satisfactory plan for selecting and appointing employees below the policy-making grades is the basis upon which sound administrative procedure is developed. In recent decades experience has been accumulating which may now be used as a guide for the establishment of personnel programs in the federal, state, and local services.

**Unregulated Appointment.** A personnel program which rests upon no legal provision for the selection and appointment of employees and which may be varied at the will of the appointing officer may be regarded as setting up unregulated appointment of personnel. The law simply authorizes the judge, the sheriff, the poor-law authority, or the governor to appoint sufficient employees to carry on the work of the agency and usually stipulates a salary or a maximum salary. In some cases the number who may be appointed is limited by law, but more often it is limited by the funds available for the payment of salaries. Positions which require certain professional or scientific attainments often may be filled only by persons who have these qualifications, but the appointing officer always determines the adequacy of the qualifications in ways which seem good to him. Thus, while there is some regulation of conditions of appointment even under circumstances such as these, the restrictions are very general and are not calculated to limit seriously the freedom of choice of the appointing officer.

Unregulated appointment may be made on the basis of political affiliation. Andrew Jackson is credited with establishing the doctrine that in an election "to the victor belong the spoils." What Jackson said in effect was that the winner at the polls earns the right and is given the power to make public policies, and in order to make public policies the winner has to be in a position to appoint members of his party not only to the important jobs but to all the jobs. The more public jobs which a successful candidate had at his disposal, the more solidly for a time he could entrench himself, because every party appointee became a potential worker in the political organization of his superior or of the "boss." That made political patronage a powerful tool in the hands of the party in power. The first qualifications of a person to be appointed to public position under the patronage system are party regularity and value to the party. Among all those who qualify on these points the appointing officer



may select those for appointment who are interested in public office and who seem to him best suited for the duties of the positions. Where a powerful central city or state party organization exists, all recommendations for appointments ranging from unskilled labor to professional groups must be cleared through a "patronage secretary" to the mayor or governor. This functionary will not be listed on the records of the treasurer as "patronage secretary" but under a conventional official title. For example, the nonrelief appointments to WPA have often been regarded as the patronage of the Congressman of the district, and the applicant for one of these positions sought the approval and sometimes the active assistance of his Congressman, but usually after he had been certified for the position by the local committeeman of the majority party. The enumerators of the federal decennial census are appointed by supervisors who are designated by Congressmen of their respective districts. Poor-law officials have notoriously considered only political availability in making appointments of investigators. When election time comes around, persons appointed because of their political affiliations are expected to work for the party, and this may be done in a variety of ways. Public welfare employees, especially those concerned with public assistance, have extraordinary political usefulness, if the law permits them to work for the party to which they belong; application of the rules of eligibility may be relaxed in order to give assistance to some who are not really in need, or the amounts of assistance during the months preceding election may be increased. There are other "inducements" which may be offered for political support and which do in fact gain a preponderance of the votes of clients for the party in power.

It is easy to see that the motives to public welfare services are complicated under a patronage system. Administrative and staff positions are filled by persons who are believed to be most useful to the party, but who may have little or no training and experience for the work. The decision to give assistance and the kind and amount of assistance may be affected by ulterior considerations. Because of the double purpose of public welfare services under a patronage system, the people needing care are likely to receive less adequate and less expert care than they need to maintain or restore health and to maintain minimum comfort.

The method of unregulated appointments does not mean, however, uniformly poor welfare services. There are politicians and

politicians; some of them are interested only in the prestige and material rewards which public office brings, but others are interested in good government. The latter may make appointments on the basis of the technical qualifications of the appointee and with minimum consideration of party affiliation. If there had not been some such officials, who are also politicians, we should not find the occasional citizen in every community who is distinguished by the quality of service he has throughout a lifetime given to his community or state. Through some accident of fortune a particular service may acquire a sort of sacrosanct character which places it outside of patronage considerations in the minds of the entire community. But this situation, as well as the appearance of occasional administrators of ability and integrity, is sporadic, and we can never be sure that it will recur at the time of the next general election. A method of unregulated appointments makes theoretically possible greater flexibility in the selection and appointment of suitable personnel and it has resulted in some first-rate examples of good administration, but just because it is without an orderly legal basis it is unpredictable and subject to violent change upon whimsical or selfish grounds. It is wasteful of both human and material resources to entrust the complex administration of public welfare services today merely to the accident of electing an able and honest official or to the development of a tradition of service. The determining of policies is a political matter and is settled at the polls, but public welfare services carried out on the basis of any policy whatsoever require technical competence. The method of unregulated appointments to positions below the policy-making level cannot assure the continuous employment of even reasonably competent personnel.

**Civil Service.** Civil service procedure as we know it today began with the passage of the Pendleton Act by Congress in 1883.<sup>1</sup> This act set up a commission of three persons whose principal duties consisted of advising the President regarding public personnel, holding examinations of persons for positions in certain federal departments, and acting as an appeal board for persons who felt they had been dismissed without just cause. The sole aim of this first civil service law was to remove certain federal positions from the reach of the spoils system; the objective was entirely negative. Soon afterwards Massachusetts and New York adopted state civil service

<sup>1</sup> 22 *U. S. Statutes at Large*, pp. 403-407.

laws of the same general character, and since that time several other states and many cities and counties have adopted civil service for certain classes of public employees. When an examination is given for a position in the "classified service" (*i.e.*, the civil service), presumably it is open to any interested person who meets certain minimum conditions for admission to it. It is assumed that an examination can be constructed such that it will test fitness for the particular position and will result in a ranking of those who took the examination according to their ability to do the work required by the position. Conventional procedure then requires that appointments be made from the top of the list, although more than one name may be given to the appointing officer from which he selects the one who seems to him best suited for the vacancy. By such procedure an attempt is made to determine appointments to public positions on the basis of technical fitness alone. The objectives of civil service methods are quite generally accepted for positions in public welfare administration by all citizens except those who have ulterior motives, but the problems of civil service administration are numerous and difficult.

The original federal act created a commission, and the tendency in states, counties, and cities has been to administer the civil service laws through a commission. For example, in Illinois there are the State Civil Service Commission, the Cook County Civil Service Commission, and the Chicago Civil Service Commission. Such a commission has from three to five members who give all or a large part of their time to the work. Hence it is more or less assumed by legislative bodies that civil service laws must be administered by a plural executive. This has made civil service administration cumbersome, slow-moving, and sometimes more than ordinarily open to political manipulation. The business of preparing and holding examinations, of setting up lists of eligibles who successfully passed the examinations, and of certifying names of eligibles for vacancies is entirely administrative, and among administrators and students of government there are few left who prefer the plural executive to the single executive for administrative positions. The only quasi-judicial function which civil service commissions have is the hearing of appeals in case of dismissals when the individual feels aggrieved. An appeal board, or board of review, such as is common in unemployment compensation plans, which would have no administrative responsibility, could be created, would perform the judicial function

more satisfactorily, and would not confuse it with administrative duties. A single executive in charge of a civil service agency could more easily be held accountable and could act with more speed than is customary with plural executives.

The establishment of lists of persons for personnel classes whose eligibility has been determined by examinations encounters problems both of policy and of administration. In general a civil service law applies to a single level of government, such as the federal, state, county, or city government. Federal positions are filled by certification from federal civil service eligible lists, and each other level of government operates in a similar manner. On occasion the United States Civil Service Commission has offered to make certain of its lists of eligibles available to state governments, but this is entirely a voluntary offer of co-operation. However, this is probably as far as it ought ever to go; we are not ready in this country to Prussianize our state and local governments. In the states the situation would seem to be different. There seems to be no cogent reason from the viewpoint of the theory of democracy or of practical administration why a state civil service agency could not function for all units of government within the state. A state agency of this size would more likely have the funds to employ adequate technical personnel, and it could set up large lists of eligibles for all positions in the classified service from which local government officials, as well as the state officials, could requisition employees. A uniform standard for a given position would be established for the entire state. It would facilitate the movement of employees from one locality to another; this, however, is not wanted by many citizens, because they think that "one of our own boys" could do the job just as well, and as a result of this sentiment county residence requirements are often inserted in the law. The state and local government service would be more attractive to high-grade young people if a larger range of positions is brought into it. This is particularly true of the public welfare services, because small counties will have very few workers; if these workers want to spend their lives in public welfare work they want a chance to move up the ladder as they gain experience and opportunity offers. We have state-wide certification of school teachers in all states, and it is just as necessary to have state-wide certification or eligible lists of social workers. If the public can be induced to recognize that public welfare funds ought to be spent in the way that gives the best service, there will be a demand for the

best personnel available at the salary scale and without regard to place of residence.

The device of making temporary appointments is widely used when there is no civil service list available. If all of the eligibles have been appointed from a list or have declined appointment, a vacancy may have to be filled at once. The only way to meet the situation is to make a temporary appointment until an examination can be held. But the use of temporary appointments may be utilized to evade the civil service law. The civil service law relating to the city of Chicago limits a temporary appointment to 30 days, but from its inception in 1936 the Chicago Relief Administration every 30 days asked for authority to make temporary appointments of all its employees. In 1942 a mandamus suit, filed by the social workers' union to compel the mayor to abide by the civil service law, was sustained by the Appellate Court of Illinois.<sup>1</sup> It was not the intent of the legislature to provide a way for an important branch of the city government to escape the civil service laws. The law should be amended to limit the number of times a position can be successively filled by temporary appointment or to require the civil service commission to hold an examination promptly after the eligible list is exhausted.

**Special Merit Systems.** A special merit system for the selection and appointment of public personnel is similar in principle to the older civil service systems. Its difference lies chiefly in the fact that it applies to a particular department of a state government. The special merit system for public welfare services came into prominence soon after the enactment of the Social Security Act. One of the first of these was authorized in Indiana by the following paragraph from the Welfare Act of 1936:<sup>2</sup>

The state department shall "hold or provide for holding examinations to determine the technical and professional qualifications of applicants for positions in the state department and provide for annual merit ratings of employees in the state department to ascertain whether such employees, or any of them, are maintaining the eligibility standards prescribed by the department."

The Indiana Unemployment Compensation Act contained a similar provision. Subsequently, the Department of Public Welfare and the Unemployment Compensation Division set up a Bureau of

<sup>1</sup> *People ex rel. Corbett vs. Albrian*, 312 Ill. App. 484. See also *Catherine Corbett et al. vs. City of Chicago*, 323 Ill. App. 429.

<sup>2</sup> Sec. 5 (k).

Personnel that held examinations and established eligible lists for the various classes of personnel in the two agencies. The procedure is substantially the same as that found in states which have civil service agencies, and its objectives are the same. Many other states adopted some kind of a merit system for selection and appointment of personnel, although it was not required as a condition of compliance with the Social Security Act. The Social Security Act amendments of 1939, however, required that the states have by January 1, 1940, a merit system for personnel which could be approved by the Social Security Board, as a condition of receiving grants-in-aid for old-age assistance, blind assistance, aid to dependent children, maternal and child health services, and services for crippled children.<sup>1</sup> Those states which did not already have a suitable civil service or merit system were under the necessity of setting up a plan for "the establishment and maintenance of personnel standards on a merit basis." Thus, during the year 1940 all states as a condition of continuing to receive federal grants-in-aid had to adopt some kind of a merit system for selecting personnel. Undoubtedly there are many kinds of state merit systems, which differ widely in effectiveness, but placing all the public assistance services provided by the Social Security Act on a merit basis is a long step toward raising state personnel standards and reducing political interference to a minimum.

One of the important characteristics of many of the new special merit systems has been the authority granted to the state department of public welfare to determine the qualifications of persons appointed to county welfare agencies. By July 1, 1938, nine states had provisions in their laws which allowed the state department to fix the qualifications of county employees.<sup>2</sup> Under the new provisions of the amendments to the Social Security Act it is probable that the state department will have to be given power to determine and maintain personnel standards in counties in all states. It remains to be seen how this will be worked out in states which have general civil service laws. It is difficult to see how a state plan which can satisfy the Social Security Administration can allow county preference; this may mark a break in the almost universal practice of requiring county residence for appointment to positions in the county department of public welfare.

<sup>1</sup> Secs. 101, 401, 503, 506, and 701. Public No. 379, 76th Congress.

<sup>2</sup> Marietta Stevenson, *Public Welfare Administration*, 1938, pp. 326-332.

**The Defeat of Merit.** It is unfortunate that civil service and merit system laws do not guarantee qualified personnel. Standards have to be determined from competent job analysis, and the public personnel authorities must have not only the legal power but the will to select properly qualified workers. There are two major threats to the competence of public welfare personnel: (1) legal restrictions upon fixing educational qualifications for admission to examinations and (2) "veterans' preference." The low point has probably been reached for both in Massachusetts, where prescribing educational qualifications is forbidden by law and a veteran goes to the head of the eligible list if he can barely pass the examination.

#### PROBLEMS OF TENURE

One of the difficulties with the spoils system in the appointment of public personnel is that the appointee has no assurance that he will be employed any longer than his friends can remain in office. His personnel efficiency is not a determining factor. Consequently, the length of tenure of public employees is short under this system, and when one party succeeds another in office there is likely to be such a large turnover of employees that the efficiency of the service is seriously impaired until the new recruits can learn the work. It has been a common opinion that the ablest young people do not go into the public service, and this opinion is often expressed with regret. Inadequacy of salary is obviously an explanation of this situation, but perhaps more important has been the uncertainty of tenure in public office. If a young man goes into business he is reasonably sure that he can hold his job and expect promotion as long as he gives a good account of himself or as long as business is good. Until about 1940 he had, outside of a few states and the federal government, little assurance that tenure of public office would depend upon his own ability and efforts to turn out good work. It is not surprising that an apparently large proportion of public employees have seemed to have mediocre ability.

**Rights under a Merit System.** The introduction of civil service or a special merit system tends to correct this situation. Within the last few years we have made rapid strides in the achievement of personnel standards in the public social services, and when the amendments to the Social Security Act became effective there was a further extension of the merit system in this field. Thousands of young people of good ability have entered the public social services

since 1933, and the new personnel systems will encourage them to stay and will encourage others to come into these services as a career. Under a merit system of any kind the employee may be dismissed only "for cause," and he has a right to answer the charges against him and to have a hearing before a board, a commission, or some disinterested reviewer. Under the California law a civil service employee may be removed for "incompetency, inefficiency, insubordination, dishonesty, intemperance, immorality, profanity, discourteous treatment of the public or other employees, improper political activity, wilful disobedience, violation of the provisions of this act [Civil Service Act] or of the rules and regulations of the commission, or for any other failure of good behavior or any other act or acts which are incompatible with or inimical to the public service."<sup>1</sup> This act has employed the method of enumerating the common causes for dismissal and then has added a blanket clause at the end. There is an advantage in listing the possible reasons for dismissal from the viewpoint of the employee; he has a more definite idea of what is expected of him. However, there should be an appeal open to any dismissed employee regardless of cause; otherwise, injustice may be done him by misrepresentation of the cause of dismissal on the part of the superior officer. The rules and regulations of the Indiana special merit system provide that, "An appointing officer may demote or dismiss a permanent employee for inefficiency, or for other just cause," but in all cases the employee may appeal to the board of the agency, which sits as an appeal tribunal.<sup>2</sup> The Indiana provision for dismissal has the appearance of greater flexibility than the California act, but the blanket clause in the California law in fact gives ample flexibility.

If the employing officer can dismiss an employee only for cause stated in writing, and if the employee has full right of appeal to an impartial body or reviewing officer, rights of tenure are safeguarded in so far as legal provision can safeguard them. Nevertheless, good laws and good rules and regulations can be sabotaged by an administration which is either slipshod or dishonest. While it would be unnecessary and unwise to introduce into the appeals routine all of the formalities and complexities of court procedure, it is necessary, to insure a fair hearing, that some formal procedure be utilized. Not only the appearance but the reality of fairness requires the presenta-

<sup>1</sup> State Civil Service Act, sec. 14; *The Law Governing Civil Service in California*, by the State Personnel Board, 1936, p. 19.

<sup>2</sup> Rule XIII, sec. 2.



tion of evidence in orderly fashion, the weighing of the evidence offered by both the employer and the employee, and a carefully considered decision by the appeal body. The hearing of an appeal can never honestly be a perfunctory proceeding; the decision affects vitally the welfare of the employee and may affect the morale of a staff. A wise decision, carefully stated, contributes to the morale of a staff; it makes little difference whether it turns out to be in favor of or against the appellant, so long as it is essentially fair.

**Tenure and Efficiency.** Although the interest of the employee in rights of tenure is of the first importance, it is hardly greater than the interest of the public in the relation of tenure to efficiency. If merit systems simply entrench a group of persons in sinecures for life, they are promoting a parasitic bureaucracy. If demonstration of ability is not recognized by opportunities for promotion, the ablest and most ambitious young people will either leave the service or not enter it. Because of the importance of public welfare services, there is extraordinary interest in the development of sound personnel standards and efficient administrative organizations.

In considering methods of appointing public welfare personnel the need for opening the service to anyone who has the technical qualifications was emphasized, but efficiency and morale are maintained and improved almost equally by "leaving the back door open" for the exit of unsatisfactory employees. In setting up a merit system it is very important to provide for dismissing employees on proper grounds which can be sustained in the particular case. After eligible lists have been established for the various classes of employees, the next step in weeding out the unfit is the probationary period of service. Merit systems usually provide for a probationary period of three months to a year, during which the new employee may be dismissed at the discretion of the employing officer and without a hearing. The employee acquires rights of tenure only after he has proved his ability during the probationary period and has received a regular appointment. A probationary period of less than six months for technical, professional, and executive personnel is probably worthless, because it does not allow time enough to determine the suitability of the employee. If the examination was easy and the probationary period is for only three months, the chances of giving permanent appointments to mediocre persons are exceedingly good. After a regular appointment has been made, the employee is entitled to a hearing by an appeal body before he can be dismissed. If he has

proved himself inefficient or lacking in ability, he still has a legal and moral right to an appeal. If incompetent persons pass through the probationary period without being discovered and are given regular appointments, that is the fault of the administration and not of the employee, and he should be entitled to have the charges against him proved to the satisfaction of an impartial tribunal.

Dismissal for inefficiency is not easy when the nature of the inefficiency must be proved to an appeal tribunal. A superior officer can easily confuse a personality clash between himself and a subordinate with inefficiency on the part of the subordinate. On the other hand, the subordinate can make out a plausible case for himself on the ground that he could do better under a different superior. Hence, transfer of an employee to some other administrative unit may be a means of further ascertaining his efficiency before attempting to dismiss him. It is difficult to find any objective measure of efficiency for technical, professional, and executive employees; the judgment of inefficiency rests upon opinion of observers close to the employee in question and may be affected by an irrelevant prejudice. Personnel officers have a long period of experiment and research ahead of them before they can set up even reasonably adequate measures of efficiency—"efficiency" being interpreted in terms sufficiently broad in the particular case to have real application. Meanwhile, the back door should be left ajar for those adjudged too inefficient to remain in the agency.

### QUESTIONS

1. What is meant by classes of personnel?
2. What technical and professional personnel are represented in a large public welfare department?
3. What qualifications would you set down for the administrative head of a state department of public welfare?
4. What are the arguments for and against the "unregulated appointment" of public welfare employees?
5. What kind of a personnel system does your state have for public welfare employees?
6. Discuss the problems which arise in connection with administering a civil service law.
7. How does a merit system for selecting and appointing personnel contribute to better services?
8. Outline a plan for assuring rights of tenure while at the same time providing safe measures for getting rid of inefficient employees.

## CHAPTER XVIII

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### MERIT SYSTEM PROCEDURE

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The success of a merit system for the selection and appointment of public employees depends in no small degree upon the use of objective methods of establishing eligibility and of certifying persons from the eligible list to vacancies. Selection has, of course, to be made from those who apply for admission to the examination; the number and qualifications of these are affected by many things, but technical requirements of the job, the salary, general working conditions, and opportunities for advancement may be mentioned. If properly qualified people are to enter the public welfare service, the inducements have to be comparable to those offered people of similar qualifications in other lines of public and private employment, but, assuming that public welfare administration is an attractive field for employment, the procedure for determining relative ability and certifying to vacancies is the chief concern of the personnel agency.

The administrative problems of a personnel agency are similar for civil service and a special merit system; they differ chiefly in that a civil service law is likely to apply to many different government services, whereas a special merit system is set up to select and certify qualified persons to a particular government service, such as a state public welfare department. Some special merit systems have been created on the assumption that a personnel agency which deals only with public welfare personnel can become more efficient than one which is concerned with all types of governmental departments. That assumption is probably unjustified, because the administrative procedure for selecting any type of public employees is similar to that required for any other type, and a general civil service agency can employ a few specialists who can give attention to the peculiar personnel problems, if any, of particular government services. If a state has a general civil service law, there is every reason for extending it to include the selection of personnel for the public social

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services rather than creating a special agency outside the general system. If the civil service agency is ineffective, then the proper course of action is to reorganize it and provide adequate funds for its operation.

#### ADMISSION TO THE EXAMINATION

Admission to an examination under a merit system has some restrictions; it is not open to just anybody who might have a momentary impulse to take the examination, because it is known in advance that certain minimum levels of education and experience are required to pass the written examination or are deemed essential for the performance of the duties of the job. The limitations on admission to the examination are in the main technical, but there is one exception which appears all too frequently, namely, a state or local residence requirement. In the case of federal examinations any citizen of the country who meets the technical conditions may take an examination, but in many of the states he would have to be a resident of the state to take a state examination and sometimes a resident of the county to take the county examination. In some states, where they are not imposed by law, public policy requires that most positions be filled by persons meeting the residential conditions. County residence requirements almost invariably operate to lower the standard of service, except in the larger cities. State residence requirements for the higher positions have a similar effect, but it is not quite so serious for the staff and lower supervisory positions. If residence restrictions are to be retained in the state laws, they should provide for state residence only and for appointing out-of-state people in cases where suitable persons are not available within the state. The Indiana merit system is an example of those which provide this elasticity with respect to residence requirements in both the state and the county.<sup>1</sup> From a study of recruiting of public welfare personnel in a number of states Miss Florence Booth has recently stated succinctly the effect of residence restrictions thus: "The higher the training and experience qualifications are set, the more necessary it becomes to diverge from the residence restrictions; and of course the reverse process is also true, that the more binding the residence ruling, the lower the technical education and experience qualifications must necessarily be made."<sup>2</sup>

<sup>1</sup> *Rules and Regulations*, Rule VI, sec. 2, and *The Welfare Act of 1936, as amended by Acts of 1937*, secs. 20 and 24.

<sup>2</sup> Florence Booth, *Civil Service Procedures for Social Work Positions*, 1939, p. 19.

**Minimum Qualifications.** Conditions of admission to an examination vary, but the most common ones relate to education, occupational experience, age, and sometimes sex. The minimum conditions are determined with reference to the particular position for which the examination is being given. Obviously the qualifications for a clerical worker are lower and different from those for a social case worker, and the prerequisite conditions for each are stated in terms of the requirements of the particular job to be done. The following statements of minimum conditions for admission to the examinations for "case reviewer" and "clerk secretary" in Indiana are illustrative of the brief type of specification:

Case Reviewer:

Pre-requisites for acceptance of applications: Either (1) graduation from an accredited college and successful completion of one year training at an accredited school of social work, or (2) any equivalent combination of training and experience.

Clerk Secretary:

Pre-requisites for acceptance of applications: Graduation from an accredited high school and three years' stenographic experience, or any equivalent combination of training and experience in a responsible secretarial position.<sup>1</sup>

The general form of these two statements is the same: they are brief, and the alternative method of qualifying leaves wide discretion to the person evaluating the experience and education as represented in the application. It is often necessary to allow a good deal of freedom in alternatives because of the lack of a sufficient number of persons with the specific qualifications which are deemed most suitable, but unless the staff of the personnel agency is highly competent, many persons are likely to be admitted to the examination who cannot pass the written or the oral parts of it. That creates more work and makes the giving of examinations correspondingly expensive.

A more extended description of minimum qualifications was used recently in an examination for "junior interviewer" for the Illinois State Employment Service:

<sup>1</sup> *Personnel Administration and Procedure as Installed in the Indiana Department of Public Welfare and Unemployment Compensation Division*, p. 80. Chicago: Public Administration Service, 1938.

## Junior Interviewer:

Minimum Qualifications: (a) Education equivalent to graduation from standard four year high school and at least three years of successful full-time employment involving work related to the above duties, of which one year within the past five years must have been in the special experience defined below; or (b) Any satisfactory equivalent combination of education and experience, substituting one year of full-time paid employment for each year of the required high school education, or substituting one successfully completed year of related college education for each year of the required general experience but not for the one year of the required special experience, unless the applicant offers a Bachelor's degree, or graduate work with major courses directly related to interviewing techniques and occupational classification, or employment problems and practices.

Special Experience: Employment in work definitely providing knowledge of occupational requirements and familiarity with employment problems and practices, such as is entailed in establishments and organizations in agricultural, commercial, industrial, labor, professional and public administration fields.<sup>1</sup>

The prerequisites to take this examination are described at length, but education is given relatively less weight than was thought necessary for case reviewer in Indiana.<sup>2</sup> This probably reflects uncertainty as to what kind of education is most important for the work of a junior interviewer. The "special experience" requirement of the Illinois examination tends to eliminate a large number of poorly qualified persons, and it was probably assumed that persons with college or graduate education would rank high on the examination and receive appointments before the less qualified persons who might pass the examination. The Illinois examination was taken by a large number of persons who failed to pass it, and almost half of those who filed applications, believing that they met the qualifications for admission to the examination, were rejected. Public opinion often demands low admission qualifications, and when the alternatives are as complicated as they were in the Illinois examination the expense of handling a large number of applications of persons who are in fact ineligible is unavoidable and must be borne.

<sup>1</sup> *Examination Notice*, Vol. 1939—Series 1, Illinois State Civil Service Commission, Examination No. 22.

<sup>2</sup> The Indiana examination for junior interviewer was also open to high school graduates.

The conditions of admission to an examination are made more complex by considering education and experience together. It was seen that in both the Illinois and the Indiana examinations some education might be a substitute for some experience, and some experience might be a substitute for some education. The same practice prevails in federal examinations. It seems reasonable to assume that a college graduate without employed experience has an advantage over the high school graduate without employed experience, and it is equally sound to assume that some kinds of technical training may be more desirable than mere employed experience and may be accepted in lieu of such experience. However, examination procedure would be simplified by evaluating education and experience separately. This would probably enable potential applicants to estimate their own qualifications with respect to the stated minima more accurately and hence would reduce the number of applications from persons lacking the conditions of admission. For example, the announcement of the Illinois examination provided that education and experience should count a maximum of 30 per cent of the total score on the examination, but no indication was given as to the relative importance of education and experience. If each of them had been allowed a definite maximum percentage, the separate evaluations could have been added to get the fraction of 30 per cent to which the applicant was entitled. It would be desirable also to have a scale for evaluating education and experience such that a specified minimum rating for either of them would mark the point at which acceptances and rejections are determined. Or the minimum grade required to be admitted to the examination might be the combined ratings received for education and experience; this would be necessary where certain kinds of education might be offered in place of employed experience.

**Applications.** A forthcoming examination is usually announced in the newspapers and by posting notices in public buildings. It takes from two weeks to a month to give adequate publicity to the examination which is to be held. Federal examinations may be announced longer than that in advance of the closing date for receiving applications, because of the vast extent of the country. The reasons for wide publicity for an examination are that every qualified citizen has a right to take the examination, if he wishes, and that it is to the interest of the personnel agency to draw appli-

cants from as large a population as possible. Up to the present time it has been particularly desirable to give wide publicity to examinations for the public welfare services, because the number of trained and experienced persons has been less than the number required to fill the positions open. Time must be allowed for the most distant potential applicant in the nation or state to hear of the examination, write for an application form, and fill out and return the form.

When the applications begin to arrive at the personnel agency, certain members of the staff begin checking them. Some of the applications will be clearly acceptable, others will be as clearly unacceptable, but some of them will be doubtful cases. The latter will have to be reviewed by another person or a committee before action can be taken and notices sent to the applicants. The time required for this depends upon the number of applications and the size of the staff of the personnel agency. Often volunteers from the welfare agencies are asked to help with the review of applications and the evaluation of alleged education and experience. Ordinarily it would delay the examination too long to attempt verification of the statements regarding education and experience at this time. Perhaps a satisfactory substitute procedure is to require the applicant to sign his application in the presence of a notary public; if his statements later turn out to be false, when verified at the time of certification to a vacancy, he is guilty of perjury and may be penalized severely. Notarization gives a reasonable presumption of accuracy, and the personnel agency can proceed rapidly to acceptance or rejection of applications on the face of the information given.

Notices must be sent to applicants after their papers have been examined and evaluated. Form postal cards usually suffice for this purpose. This card tells the applicant whether or not he has been accepted for the examination, and, if so, where and on what date to report for a written examination. Some examinations are "un-assembled" and do not involve a written examination; that is, the applicant submits manuscripts, published articles or books, and other documentary evidence of his fitness for the position at the time he sends his application. This type of examination is commonly used for the higher positions, and an oral examination is frequently given to those who pass on the basis of the evaluation of their papers. But the vast majority of applications which are accepted



are followed by both written and oral examinations which are scheduled as rapidly as the efficiency of the personnel agency permits.

### THE EXAMINATION

The size of the staff of a personnel agency is large at the time an examination is held. In the interim between examinations a much smaller staff is required for the routine work of the agency. Some examinations attract few applications, either because the position has little appeal or because the qualifications are highly technical. In such cases the normal staff of the agency may be able to conduct the examination, but when an examination is given, for example, for most of the clerical, professional, and administrative classifications in a state public assistance agency, thousands of persons may apply and be accepted for the written examination. In such cases the personnel agency has to increase its staff, perhaps several times over. Persons are needed to examine applicants, to send out notices of examinations, to proctor the written examinations, and to grade papers. Later a large number of persons are required to conduct the oral examinations. How can a civil service or other personnel agency cope with this sort of irregularity in staff requirements? There are several methods in use: some clerical workers are borrowed from other governmental departments for a short time, temporary clerical and technical people are employed just for the period of the examination, and often citizens with the proper qualifications are asked to assist voluntarily. It is common practice in many parts of the country to appoint a special examining committee to plan and perhaps prepare the examination, and at the time of the oral examination committees of two or three qualified persons are set up to give the examinations. There may be twenty-five or more such small oral examining committees when large numbers have taken a written examination. In many states—e.g., Illinois, Indiana, Pennsylvania, etc.—social workers have contributed much time as oral examiners and have contributed other volunteer service. School teachers, university professors, and higher public employees have done likewise. The only way a personnel agency can expand its paid staff for two or three weeks is to know how to find unemployed, qualified persons or to have a file of the names of persons, especially women, who are willing to work occasionally on call.

The use of volunteers without compensation is often a burden to

those sufficiently interested to give time. They have been used most extensively in connection with examinations for the public social services during the last few years. Competent people have offered their services, because they wanted to see the new social services begin with the best staff available at the salaries being paid. From the viewpoint of the public service the use of volunteers where possible enlists the interest of a number of people in the problems of securing satisfactory government personnel; it may be a genuine element in the democratic process, and it may increase confidence in the fairness of the examination, though too much weight should not be given the latter, because it is possible to manipulate eligible lists after they are completed. Nevertheless, the net effect of using volunteers within limits is probably good and should be continued. But the personnel agency should have sufficient funds to employ all the paid staff that is needed and be free to use volunteers, not in lieu of a paid staff, but in the ways in which they can make a special contribution to merit-system procedure.

**Written Examinations.** People think of a civil service examination as a written test. Such a test is an important part of most examinations, but, as pointed out above, the proper evaluation of education and experience is equally important, and for some kinds of positions the oral examination is indispensable. The written examination provides a way of testing the adequacy of general and technical information of candidates. It may in limited ways provide some insight into the judgment and resourcefulness of the candidate; but it is probably most valuable as a means of testing information of candidates for the lower positions, where young persons with the proper education will work under supervision and with only limited opportunity for the use of initiative. Experience is relatively more important in determining the fitness of candidates for higher positions.

The older written examination consisted of a few questions on which the candidate wrote as fully as time and his knowledge permitted. This is the so-called free-answer, or essay type, of examination. A free-answer question gives the candidate an opportunity to express his opinions in completed sentences and paragraphs. The answer gives some impression, not only of his knowledge, but also of his ability to reason about a problem. A summary of a case history may be given, or a problem requiring statistical analysis.

The candidate may be asked to state the case-work problems of the case and to suggest a plan of treatment. The statistical problem may require solution and interpretation. Other questions will be more general. But it is difficult to grade the free-answer type of examination. Three different persons with approximately equal competence would not give the same numerical grade on an answer to a question, if they read it independently, and there is often a difference in grading of a significant number of points. Hence, the question arises as to the reliability of the free-answer examination. If a large number of questions are asked in order to cover a considerable field with some degree of completeness, the grading is very slow and tedious. Furthermore, the answers cannot be graded at all except by persons who know the subject well and can for that reason demand high pay. A few questions of this type, however, may be used advantageously in conjunction with other types of tests, especially for professional and administrative positions, in order to gain some insight into how the mind of the candidate works with facts and principles which relate to a practical problem.

The new-type written examinations are often called short-answer examinations. They include true-false questions, multiple-choice questions, and completion tests. The true-false type is most familiar, because it has been used extensively in schools and colleges. It is simple to construct, and a large number of questions covering a wide range of subject matter can be easily prepared. The candidate simply indicates his judgment as to whether a statement is true or false. Multiple-choice questions require more thought on the part of the candidate, and they are more difficult to construct. Three or more positive statements are made relating to the same matter. Only one of them is the correct statement of fact or principle, but the others must be sufficiently plausible to raise some doubt in the mind of the candidate as to which statement is correct. If one of the statements is obviously correct, then there is no test of knowledge or reasoning. A true-false question has only two possible answers: a positive or a negative answer; but a multiple-choice question may offer before the eyes of the candidate four or five possible answers. To frame that many plausible answers to a question is slow work for the person preparing the examination. The completion test is less difficult to construct than the multiple-choice examination, but it is probably more tedious than the true-false examination. Full sentences are written down which relate to the

field of the examination, and then certain significant words are omitted from the examination sheet. The candidate supplies the missing words. If he cannot supply a suitable word in a blank space, that is evidence that he is not familiar with the matter under consideration.

Up to the present time most examinations for positions in the public social services, except in the case of examinations for clerical positions, have included free-answer questions along with the short-answer types. It has not seemed wise to eliminate the free-answer question entirely, because it has some peculiar uses, which were mentioned above. But there are obvious advantages in the short-answer type of question. It is more objective; clerical workers can grade the test papers, because the answer to each question was definitely determined before the examination was held, and every candidate is graded alike. Grading the papers is rapid, whereas the grading of the free-answer type of paper takes much time. Because of its objectivity and ease of grading, Pfiffner notes, "There is no question . . . that since 1920 (if an arbitrary date must be set) the free answer test has been widely displaced by the newer short answer varieties . . . a longer list of questions will tend to eliminate elements of chance and secure a better distribution of scores for the group tested."<sup>1</sup>

**Oral Examinations.** The oral examination is the least standardized part of a merit system test. Only those candidates who have at least the minimum of education and experience and who have passed the written examination are admitted to the oral. Thus, while the oral examination is the slowest-moving part of the total examination, it is given only to those who have already qualified at three points. An oral examination may be conducted by one person, but usually a committee of two or three persons interviews the candidate. Volunteer examining committees have played a large part in public welfare examinations. The length of time the candidate meets with the committee varies; it is usually not less than fifteen minutes and perhaps rarely more than an hour. The aim of the oral interview is not to test the candidate's knowledge further but to "size up" his personality and to form an opinion of his probable performance in the position. The time required to do this, of course, depends upon the skill of the interviewers, but the

<sup>1</sup> John M. Pfiffner, *Public Administration*, p. 179. Copyright, 1935. The Ronald Press Company.

period allowed is usually limited arbitrarily in order to finish examining all the candidates within a given time.

The validity of the oral examination is highly questionable. Yet few civil service examiners or experienced public welfare executives would dispense with it. "It is," says Piffner, "still the only means available for measuring [appraising?] purely personal traits such as speech, dress, bearing, ability to comprehend oral statements and questions, quickness of oral response, adaptability for the specific activity, tact, and total effect of personality. Also it is almost the only hope for eliminating in advance the neurotic and temperamentally peculiar."<sup>1</sup> In order that all members of the examining committee may have an equal basis for forming opinions, when the candidate retires, it is important that none of the examiners be personally acquainted with the candidate. The result of the candidate's interview should depend upon nothing outside of the oral interview, unless it be written material which each member of the committee may consult. Because of the highly subjective character of the oral interview, the weight given to it should in comparison with education, experience, and the written test be small.

If a large part of the total grade is assigned to the oral examination, the chance of injustice and political manipulation is too great. Yet it is desirable to be able to eliminate a candidate at the time of the oral interview, even though he may have passed other parts of the examination with a good margin. This may be done by providing by rule that a candidate must make not less than a certain grade, say 60, on any part of the examination in order to qualify for the eligible list, and then requiring the examining committee to state in writing their reasons for failing him on the oral examination. These records should be kept in the files of the personnel agency and be subject to subpoena by a court, if the result of a particular examination is contested. Efforts have been made by the United States Civil Service Commission and some of the state commissions to standardize the oral interview to some extent. A list of traits has been given oral examiners, and they have been asked to rate the candidate on each of them and then to give him a general grade on the entire examination. But even so, it is necessary to use the oral examination with great caution.

<sup>1</sup> *Op. cit.*, p. 188.

## THE ELIGIBLE LIST

The eligible list consists of the names of all those persons who passed the examination, arranged in order of grades with the name of the person making the highest grade at the top. There is a list for each position, and it is possible to have more than one list for a position. But the list is legally established, and the position of a name on the list cannot be altered except in accordance with the law or the rules of the personnel agency. In the event of such change, the individual concerned has a right to know why his position on the list was altered. The law or the rules may provide that a particular eligible list shall expire within a certain time. Two years is a common duration. It then expires, and an examination must be held to make up a new list.

**The List.** After an examination is completed and the final grades of those who passed it are known, the names are placed according to rank. This would result in a simple list of eligibles where every person has the same status and is distinguished only by his particular grade. But federal, state, and local lists are more complicated than that. Among those who pass an examination, say for junior case worker, there may be veterans of the World War, incumbents on temporary appointment to junior case-work positions, and others without special claims. The latter group is entitled to no preferential treatment. They simply wait until their names come to the top of the list.

Veterans and incumbents may have preferential rights. Under the federal law the veteran is given 5 points in addition to whatever he makes on the examination, but the disabled veteran, his wife, or his widow is given 10 points. For example, an able-bodied veteran making a grade of 78 would get 5 more points and have a grade of 83, or if he made 68 he would get a grade of 73; that is, he could fail the examination but yet be on the eligible list because of the preferential 5 points. The disabled veteran, however, is much more favored; he could make 61 on the examination, receive 10 points for disability, and would then not only have a passing mark but would be placed at the top of the list, even going above persons who had made grades of 95 or 100.<sup>1</sup>

Illinois and Massachusetts have much the same law, but any veteran who passes an examination goes to the head of the eligible

<sup>1</sup> Piffner, *op. cit.*, pp. 195, 196.

list. Other states give varying preferential credit. Presumably a disabled veteran receives compensation because he is unable to work. If he is able to hold a public position he is able to work and is, therefore, not entirely disabled; or, if he does have a disability rating of 100 per cent or close to it, he should not be given a job which on the physician's statement he cannot do. Gratitude and patriotic feeling have led legislative bodies to give preference to veterans, and there can be little objection to a small preference, such as 5 points, but there is no justification for reducing the efficiency of government services for a whole generation by granting excessive favors to mediocre employees. Privately, few veterans would probably defend the principle involved. It should be added, however, that because of maximum age qualifications for many examinations, the veterans of World War I are rapidly becoming too old to enter many positions in government service. However, the millions of veterans of World War II have now entered the picture, and this misguided preference to veterans is a more serious threat to good government than ever.

When a new public service is created, such as old-age assistance or unemployment compensation, there may be no extant eligible lists from which employees can be drawn, or perhaps some lists are available but others are lacking because new positions have been created. Legislatures could set the date for the law to take effect at a sufficient time in the future so that the personnel agency would have time to give examinations and set up eligible lists, but such foresight has rarely crept into the statutes. The law usually takes effect at once or within a very short time after its passage. Consequently, temporary employees must be appointed. Then in the course of time the personnel agency holds examinations which are open to both the temporary incumbents and to the public, but in many jurisdictions the incumbents retain their positions by merely making a passing grade. Sometimes in an old established service an eligible list is exhausted, and the service needs people to fill vacancies; temporary appointments are made, and when the examination is finally held to set up an eligible list, these temporary appointees have the preferential rights of incumbents. Slow-moving or politically inclined civil service commissions sometimes appear to connive at this practice by delaying examinations. Such a practice is from the viewpoint of the "good of the service" indefensible. An incumbent has some advantage over an outsider

because of his experience on the job. That should be all the preference he is entitled to get, and he should take his chances in the examination on an equal footing with the outsider. Preferential treatment of incumbents is just a variation on the practice of "blanketing in" the incumbents which is sometimes provided in a statute, when a civil service or merit system status is first extended to a service. In the case of "blanketing in" the incumbents may not have to take any examination, or it may be perfunctory. But "blanketing in" can occur only once, whereas the incumbents' preference may continue indefinitely and result in a substantial defeat of the principle of the merit system.

**Certification to Vacancies.** Under civil service or other merit system the employing officer notifies the personnel agency that he has or is about to have a vacancy and makes a requisition for someone to fill the vacancy. Under the federal rules the Civil Service Commission would certify the first three names on the eligible list.<sup>1</sup> The employing officer could select any one of the three. In Cook County, Illinois, only the first name on the eligible list is certified to the employing officer.<sup>2</sup> The California law relating to the state service provides for the certification of the first three names on the eligible list, but if there is more than one vacancy, only two names more than the number of vacancies will be certified.<sup>3</sup> Other state and local civil service laws contain similar provisions. Ordinarily the employing officer cannot refuse to accept all of those certified, or, if he does, he cannot have additional names certified to him at once; by waiting a few weeks he probably can ask for new certification, hoping that somebody else has already taken from the list those whom he disliked. The normal way for the employing officer to handle the situation is to accept one of those certified and then, if he proves to be unsatisfactory, to release him during the probationary period, which he has a perfect right to do.

What is the status of the person whose name is certified but who is not appointed, or the person who is released during the probationary period? If the employing officer simply declines to appoint an individual certified, his name ordinarily remains in its position on the eligible list. His right to future certification is unchanged.

<sup>1</sup> *Executive Order No. 7915 of June 24, 1938, Amending Civil Service Rules*, Rule VII, 2 (a).

<sup>2</sup> *Laws and Rules of the Civil Service Commission of Cook County (Illinois)*, 1939, Rule IV, sec. 2.

<sup>3</sup> *The Law Governing Civil Service in California*, 1936, Rule VI, sec. 2.



The status of the probationer who is released varies in different jurisdictions. Under federal rules, if he has not been guilty of delinquency or misconduct, he may be restored to the eligible list at the discretion of the Commission. In California "the name of the discharged probationer may at his request be restored to the eligible list with its original percentage at the discretion of the board," but he may not be re-certified to the position or department from which he was released.<sup>1</sup> Thus the person on an eligible list is not assured of an appointment, even though his name is up for certification, but he has certain rights to be considered for future vacancies.

### PROMOTIONS

The problem of promotions under civil service or other merit system is a difficult one. In order to encourage able young people to go into the public service it is necessary to offer them advancement. This is particularly true in the public welfare service, because if young people secure professional education for social work positions, there are relatively few openings outside of the public service. It is, therefore, desirable to attract recruits who have natural ability and who are willing to seek, often at considerable personal sacrifice, professional education. Yet the incumbents in a public welfare system, however carefully selected, should never acquire the feeling that they have special proprietary rights in their jobs. It should always be clear that effective service is the only justification for promotion. How, then, shall promotions be made in order to safeguard the service and at the same time satisfy the desire of ambitious young people for advancement?

Promotions may be based upon seniority. That practice is far too common in government. Once an individual is in the service, he acquires a position on the list of incumbents, and he is promoted when vacancies occur in the grade to which he is entitled to be promoted and on the basis of his length of service as compared with others of similar rank. Administrators and students of the problem are practically unanimous in their opposition to this method of promotion. It places a premium upon the ability, not to perform duties, but to curry sufficient favor in order to stay in the service. It would be unfortunate if such a practice developed in the public social services, because it would consolidate a system which has protection of tenure but is without merit.

<sup>1</sup> *Op. cit.*, Rule IX, sec. 2.

Another and better basis for promotion procedure is to consider the service record as well as the length of service. That naturally raises the question of the validity of service ratings. In any large public welfare department there will be a personnel office where records of workers are kept, and they may be kept by the general personnel agency. It is common now to require semiannual or annual service ratings in the public social services. At present the scoring forms which are used reflect the opinion of the supervisor but are not amenable to objective evaluation. Breaking down the general rating into a number of ratings for particular qualities is an advantage over the simple report of "satisfactory" or "unsatisfactory," because it forces the supervisor to think of his employees in more specific terms and is likely to result in a more accurate opinion. The loyal worker who stays in the service from one year to another gets some recognition for his length of service, but if he expects to advance far up the ladder he must show a better than average performance on the job.

Promotion may be based upon examination. That is, if a vacancy exists in a higher position, preference in filling it may be given to an incumbent of a lower position. If promotion is from a given grade to the next higher grade, then presumably all those in the given grade could take the promotional examination. A list of persons eligible for promotion would be set up, and names would be taken from the top of the list. A variation in this procedure is to throw the examination open to the public. The question then arises whether or not there should be two lists, one of the incumbents who take the examination to get a promotion and one of outsiders who take it to enter the service at the higher grade, and whether or not the promotional list should take precedence over the list of original entrants. If the promotional list has absolute precedence over the other list, competition within the service is encouraged. On the other hand, when economic conditions are good, some of the high-grade public employees will leave the service and go into private business because of interest or opportunity for greater pecuniary rewards. That results in a lower average of ability in the public service. If incumbents take the examination on the same footing with original entrants, they have the advantage of experience already gained in the service, while the service has a chance to gain some exceptionally good people from the outside.

Developing a "career service" sounds good and it is desirable,

but no less important to the public service is the need for new blood. A closed bureaucracy tends to become self-sufficient and may assume an attitude of indifference to public opinion. In a democracy that is fatal both to efficient service and to the spirit of democracy. The profession of social service is young. Much remains to be learned about professional education, and the schools of social work are and should continue to be centers of intellectual ferment with respect to both theory and practice. It would be unfortunate to recruit public welfare personnel for the lowest positions only and to rely exclusively upon promotion through the ranks to provide energetic, intelligent, and resourceful leaders. There should be ways of throwing the incumbents of public welfare positions into active competition with outsiders. That can be done by providing a method of recruiting workers for the higher positions from the community at large.

### QUESTIONS

1. What are the minimum qualifications for a case worker in your county welfare department?
2. Should there be minimum and maximum age limits set for original appointment to particular positions?
3. What relative weights would you give to education, experience, written examination, and oral examination?
4. Construct ten multiple-choice questions for an examination for junior case worker in your state.
5. How would you conduct an oral examination of a person for a position in a child-welfare agency?
6. What are the arguments for and against veterans' preference?
7. Discuss the problem raised by giving preference to temporary appointees in an open examination.
8. What kind of promotional plan would you like to see established in your state department of public welfare?

## CHAPTER XIX

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### PERSONNEL MANAGEMENT

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Personnel management includes the direction, supervision, and adjustment of all the relations of the employee and employer. If there is a central personnel office for administering a merit system or a civil service commission, personnel management is divided between the administrative agency and the personnel agency. Matters of policy are determined by the type of personnel program which is in operation,<sup>1</sup> but the specific procedure for carrying policies into effect is the responsibility of management. A certain amount of discretion is exercised by management. This is unavoidable, because no policy-making body, be it legislature or board, can foresee all possible situations and make prescriptions in advance. Some discretion is desirable in order to assure flexibility in administration. In the course of making hundreds of small decisions, established policy may be gradually bent to conform to the administrative conception of expediency or necessity. It is, therefore, highly important to provide an objective means of routine observation of personnel management; this routinizes inspection and criticism, prevents major deviations from policy, and provides an orderly method for recommending changes in policy. Within the scope of the law, rules, and regulations it is the function of management to create and maintain harmonious relations with and among employees so that the agency may operate effectively.

#### SALARY SCHEDULE

The salary schedule is ordinarily determined within certain limits by statute, and it may be specifically determined. This practice is followed, whether the selection of personnel be under a merit system or unregulated. The salary of an administrative officer

<sup>1</sup> See Chapter XVII.

who is mentioned in a federal statute is stated as a fixed amount. Some states follow this practice with regard to certain positions, but other states provide in the law that salaries of certain state or county administrative officers shall not exceed a specified amount. The latter practice gives the appointing authority some discretion in fixing an administrative salary, if he cares to pay less than the maximum.

**Salary Classes.** Under all civil service and merit systems salary classes conform to the classification of positions. Positions are arranged in one or more hierarchies, such as clerical, professional, and administrative. Each of these has a scale of salaries which is presumed to be sufficient to attract the kind of personnel required. Some professional salaries may be lower than certain clerical salaries, and some may be higher than certain administrative salaries.

To obtain competent personnel for public welfare positions or any other kind of public service, it should be obvious that the salary classes must be fixed with due consideration for the value of the ability required and the demand for persons with the qualifications. The federal government has two major civil service categories: (1) the clerical-administrative-fiscal, or CAF, and (2) the professional. Each of these has about a dozen grades, and the dichotomy makes it easy to establish roughly similar salary classes for each grade. The highest grade professional positions carry salaries similar to the highest grade administrative salaries. This plan has enabled the federal government to get and hold high-grade professional personnel when few states could do it, because they failed to compensate professional employees well enough to compete with outside opportunities. A few states, such as California and New York, have tended to follow the federal precedent. Some large cities have established professional and administrative salaries such that they can secure and retain high-grade ability. An illustration of what one well-known social agency, the Cleveland Welfare Federation, has regarded as desirable salary scales in social work since September, 1948, is shown in Table 34.

The federal civil service has social workers who meet certain standards of professional education and experience as professional persons, but few state and local departments of public welfare have set such high standards. Table 34 contains salary classes which some agencies in Cleveland, Chicago, New York, Philadelphia, and a few other large cities recognize as necessary, and a few of the public

TABLE 34  
SALARY SCALE PROPOSED FOR PROFESSIONAL POSITIONS IN CASE WORK AGENCIES<sup>1</sup>

POSITION	SALARY RANGE
Visitor*	\$1,980-\$2,700
Case Worker	2,700- 4,500
Supervisor	3,300- 4,500
Assistant District Secretary	3,600- 4,500
District Secretary	3,800- 4,700

\* College graduate only.

welfare agencies, with the support of their civil service commissions, have been able to take long steps in this direction. When they set salary classes, far too many states fail to distinguish between the untrained "visitor" type of employee and the graduate of a school of social work. The wide range of salary within a salary class is highly desirable in order to grant recognition for good work without changing the classification.

**Basis of Salary Plan.** The classification of positions and corresponding salary classes usually conforms to that of positions of similar responsibility in other departments of the federal, state, or local service. This is by no means universally true with regard to the public social services, especially in local agencies, but the tendency is in that direction. Within the public welfare organization the salary depends upon degree of responsibility, the supply of qualified persons in relation to demand, and traditional estimate of the importance of the job. Under the Indiana merit system a fairly consistent classification plan seems to be in operation: directors of divisions, of whom there are ten, all have the same salary range, \$333 to \$450 a month; social work consultants of various kinds have the same scale, \$200 to \$245 a month; senior interviewer in the employment service, senior social worker, junior accountant, junior attorney, senior cashier, senior editor, junior personnel examiner, inspector, and a few other grades are bracketed together at \$150 to \$195 a month. The amount of academic and professional education necessary for these various positions is by no means the same; for example, few junior accountants or senior cashiers are likely to have attended college until they graduated, and some of them doubtless had only high school education plus some work in accounting,

<sup>1</sup> *Report of the Personnel Practices Committee, Case Work Council, September, 1948.*

while the senior social workers have with rare exceptions graduated from college and taken additional professional training in a school of social work.<sup>1</sup>

Thus consistency has apparently been achieved at the expense of due credit for more difficult and expensive professional education. Traditional attitudes toward the social worker have probably influenced this situation. In a recent study of the salaries of 14,830 visitors by the Social Security Administration, it was found that the median monthly salary was about \$162.50 and that very few were paid more than \$220.00 a month. It is obvious that an understanding of the value of trained personnel by the public assistance executives and legislative bodies has made little headway.<sup>2</sup> The management needs persons with adequate professional training and experience; if salary scales do not become reasonably satisfactory, lower standards will result.

#### PROMOTIONS

Promotions may be made in order to increase the salary or to recognize ability and loyal service and utilize them for the benefit of the service. These two reasons for promotion are by no means equally in the interest of the service. When salary scales are low, there is likely to be a good deal of promotion simply in order to increase compensation to persons who stand well with management on personal grounds, unless the machinery for promotion is carefully established by rule and regulation.

**Use of the Service Rating.** Service rating is a broader term than efficiency rating. It includes not only an estimate of the quality of technical performance but also consideration of such matters as seniority and loyalty to the service. Seniority can be determined objectively: a certain amount of credit is given for the number of years in the service. The intangible qualities which are bundled together in the concept of loyalty can hardly be measured: they include such things as co-operative attitude, attention to duty, and dependability. These are important qualities which are needed for the smooth operation of a department of public welfare. In the service-rating form of the Illinois Division of Placement and Unemployment Compensation they were included in a list of ten qual-

<sup>1</sup> *Personnel Administration and Procedure* (op. cit.). See class specifications, pp. 56, 87.

<sup>2</sup> *Personnel in Local Offices of State Public Assistance Agencies, 1946*, Public Assistance Report No. 12, p. 17.

ities on which supervisors were to rate subordinates.<sup>1</sup> Each of the ten qualities was to be marked, indicating the rating of the employee as "weak," "below average," "average," "above average," or "outstanding." Some tests had been made to obtain a numerical evaluation of the five parts of the service-rating scale, and with the use of these a composite figure was obtained which was the service rating of the employee. The instructions are rather explicit regarding terms used. In addition to the use of the service rating, as a basis of promotion, the Personnel and Training Section of the Illinois Division tries out younger workers as understudies to a worker in the next higher class—a sort of in-service training scheme directed toward eventual promotion of a worker who has a good service rating. When these steps are carefully taken, then it is allowable to give some credit for seniority; confidence that a reasonably good employee likes the service and is likely to remain in it may be accepted by management as a partial offset to brilliance, especially if the brilliance is accompanied by too much aggressiveness and lack of tact. Public welfare agencies often give an experienced and promising junior case worker, for example, a little supervisory work to do or some particularly difficult tasks which are ordinarily assigned to a senior case worker. Performance is observed and gives additional insight into promotional possibilities.

**Promotion by Examination.** Promotions may be made on the basis of an eligible list established by an examination. As pointed out already, a promotional examination may be taken by both present employees and outsiders, and the incumbents may or may not be given a preferential rating.<sup>2</sup> The management of a public welfare department wants alert and ambitious employees. An open examination which incumbents take on the same basis as outsiders may result in some outsiders rating near the top of the list and therefore receiving appointments before some of the incumbents in lower positions. Superior young people who may have entered the service at the lowest professional level may take examinations not only for the next higher position but also for positions two or three steps above their present status and may gain high places on the list. The result might be that they would jump one or two employment grades, and experienced young people with exceptional ability would advance up the ladder rapidly. This method of filling higher

<sup>1</sup> "Instructions to Supervisors on the Use of Service Ratings," UC-ES-III. Tr. 12, July 16, 1939.

<sup>2</sup> See Chapter XVIII.



positions limits the try-out procedure which is helpful, but it creates greater mobility within the staff than the slower promotional scheme. Promotion by examination is really not promotion in the usual meaning of the word; instead of moving from one job to another on the basis of seniority and a service record, the employee as well as the outsider attempts to prove his qualifications by an examination of the conventional type and to gain a place high on the list. The examination method approaches nearer to the practices of private business, where the top men or women have rarely worked in all lower positions but have moved ahead rapidly because of demonstrated ability. There is nothing comparable to the civil service examination in business, however; the success of the individual on the job and his promise of greater usefulness in a more important position lead to his advancement. Too severe competition may lead to discouragement, unless the rewards are potentially great as they are in private business, but some of the competition which is implied in the examination procedure introduces a healthful spirit into the public welfare services.

In almost all civil service and merit systems promotion is a fact. Incumbents have certain advantages: they may be appointed to higher positions on the basis of efficiency rating and seniority or on the basis of the grade made in a promotional examination to which the incumbents had exclusive admission or special privileges. Whether the advantages of slow, orderly movement up the ladder of employment exceed the values inherent in a wider competitive base has not been proved in any objective fashion, but it is a fact that the procedure looking toward this kind of a promotional system is in general use.

#### PLANNING PERSONAL SERVICES

It is the responsibility of management to plan the use of time to the best interests of the agency. Public employees do not, any more than private employees, work every day in the week every week in the year and year after year. Good administration demands that when an employee for any reason cannot be at his duties some provision be made to carry on his work in his absence. The service of the agency must go on whether particular individuals are present or not. The "budgeting of personal services," as Pfiffner has called this activity,<sup>1</sup> is a primary obligation of management.

<sup>1</sup> J. M. Pfiffner, *Public Administration*, 1935, pp. 200 ff.

**Vacations.** Public welfare agencies normally allow vacations to all their employees. The amount of time an employee gets for his vacation with pay is usually fixed by regulation. The position held and the length of service often affect the length of the vacation with pay. Employees usually have the right to request vacations at a particular period of the year, but the administrator retains the authority to grant or reject the request. Most annual vacations are taken in the summer and early autumn, partly because most people prefer a vacation in warm weather when they can spend their time in the open, and partly because the pressure on public welfare agencies in the warm season is less than at other times of the year. The length of the vacation is a matter which has to be considered by the administrator. In most federal agencies permanent employees are entitled to annual leave at the rate of 26 working days per year, and this may be accumulated to a maximum of 60 days.<sup>1</sup> Civil service employees in California are entitled to 15 working days of vacation per year, after the first six months of continuous service.<sup>2</sup> Under the Indiana merit system all permanent employees are entitled to receive vacation leave at the rate of one and one-half working days for each full calendar month of service, or a maximum of 18 days, but it cannot be accumulated beyond the fiscal year in which it is earned and must be taken within six months after the close of the fiscal year.<sup>3</sup> California permits accumulation to a total of 30 working days.

Ordinarily a department has no special funds out of which to pay substitutes. This makes it necessary to arrange most vacations during periods of slack work to prevent a lowering of the standards of service. The problem of arranging vacations in a department with hundreds of employees so that they fall within a three- or four-month period is difficult.

**Leave of Absence.** Special leaves of absence without pay are often permitted on the initiative of the employee. There are numerous personal reasons why an employee might want to take leave for a few months or a year. Perhaps the more common reasons are a desire to undertake a short-time piece of work elsewhere in which the employee is particularly interested, or a desire to take time off for educational purposes. Such requests for leaves of absence

<sup>1</sup> Lewis Meriam, *Public Personnel Problems*, pp. 150, 151.

<sup>2</sup> *The Law Governing Civil Service in California*, 1936, Rule XIII.

<sup>3</sup> "Rules and Regulations for Personnel Administration," Rule XIV, sec. 2.

without pay come most often from scientific, professional, and technical employees. These employees feel the need occasionally to return to the university for some special work, to work a short time in some other governmental agency, or to travel abroad for purposes of study. It is decidedly to the advantage of the agency to make every effort to grant requests of this kind; these employees are revealing a highly desirable sense of personal responsibility. Members of the professional staff of a public welfare agency are frequently asked to do special jobs for other agencies. This brings prestige to the agency as well as to the member of the staff invited to do the work, and the new experience which the worker gains may be valuable to his own agency later.

Leaves of absence with pay for reasons other than the annual vacation and sickness are not generally granted at present in the public social services. It is traditional for the Army and Navy to send certain numbers of the younger officers each year to both American and foreign universities for special studies; they are on "detached service" and receive their usual salaries and allowances while studying. No questions are raised by the public concerning this practice, because it is assumed that the Army and Navy know their business. That is a coveted reputation to have, and it can be acquired by both federal and state social services if "keeping up with the profession" becomes a settled policy of the service, if candidates for "detached service" are carefully selected, and if they are assigned to "detached service" in the same manner in which they would be assigned to some special work in the departmental office. The practice of granting such educational leave is unquestionably growing. The Social Security Administration encourages the states and local agencies to send their best people to schools of social work. Since 1941, it has been the policy of this agency to allow their matching funds for administrative purposes to be used for "educational leave" salaries.<sup>1</sup> This is essentially the same as "detached service" in the terminology of the Army and Navy: the agency is undertaking to improve its social work personnel, not merely for the good of the worker but also for the good of the service. On November 1, 1948, the schools of social work had 4,051 full-time students of whom 1,857 were on educational leave with pay from public agencies.

A certain amount of sick leave with pay is commonly allowed by both federal and state and local agencies. Under civil service or a

<sup>1</sup> U. S. Social Security Board Policy, July 2, 1947, p. 1.

merit system the amount of sick leave per year is fixed. For example, California permits 100 days, and Indiana allows a maximum of 90 days in a single year. Special arrangements can be made in the case of prolonged illness for additional sick leave without pay. In large agencies with hundreds of employees the probable amount of sick leave during the year can be estimated and some advance provision in the budget made for it, but in small agencies this is more difficult. The large agency can usually make some shift to take care of the work of the sick member of the staff, but the administrator of a small agency may be forced to curtail service. A well-integrated state-county system might make provision for a personnel pool from which the small local agencies could obtain the temporary services of qualified persons in emergencies—the local public school system does it by drawing upon a list of substitutes. A clause in the rules governing personnel might provide for using the eligible list as a substitute list, but the budget would still have to contain an item for additional services because of sick leaves. Sick leave for county employees is likely to be more limited than in the case of state and federal employees. For example, under rules governing state personnel the Indiana system allows a maximum of 90 days in a year, but under the rules governing county personnel sick leave of only 11 working days with pay is granted.<sup>1</sup> This is both an unfair and an unwise discrimination against local public welfare workers. It is unfair, because local employees are just as likely to be sick as state and federal employees, and it is unwise, because it affects morale and makes the local service less attractive to qualified people.

**Retirement Plans.** Only a small proportion of employees in the public social services at present are assured of retirement pensions. Retirement plans are characteristic of civil service and merit systems, and outside of a few states and the federal government most public welfare agencies were not until recently subject to such personnel laws; but on the first of January, 1940, all state public assistance employees who were in any way related to the social security program were placed under a merit plan. Retirement plans usually call for contributions by the employee and by the agency. The contribution is usually a percentage of salary, and the retirement income is determined by the number of years of service and the amount of income upon which contributions were made. It is probable that within the next few years public employees will be brought

<sup>1</sup> County Rule VI, sec. 8-607.

under the old-age and survivors insurance provisions of the Social Security Act; bank employees, who are quasi-public employees, are now subject to it by the amendments of 1939.<sup>1</sup> Public welfare employees, whether federal, state, or local, could easily be covered by an amendment to this act. Since the Supreme Court ruled that the federal government may tax the salaries of employees of other than federal departments, agencies, and instrumentalities, and that the states may tax the salaries of federal employees, the constitutional obstacle to including public employees under the social security program is removed.<sup>2</sup>

Retirement plans in public welfare departments are desirable from the viewpoint both of the employee and of the department. They give a measure of economic security for old age which removes the worst worries of employees who are approaching the age at which they must cease work. That is an advantage to the agency as well as to the employee, because it releases his energies for performance of his job instead of dissipating them in worry. But another equally important reason for having a retirement plan is that it provides a routine way of removing aged persons from the staff. Not all persons at age 65, the usual age of retirement, have reached the end of their usefulness. Indeed, many people have much to contribute for several years beyond that age, but continuation in employment after that age should probably be on a year-by-year basis and at the discretion of the administrator. If there is no retirement plan, the tendency is to retain aged employees who have spent many years in the service but who can no longer render service commensurate with the salaries paid them. This reduces the quality of service which the agency was created to give. Yet to discharge an aged employee who has given efficient and faithful service for many years and who has inadequate means of support without his salary is a cruelty which most administrators are loath to inflict. A retirement plan which provides a modest income for the remainder of life solves this problem for both the employee and the agency.

### IN-SERVICE TRAINING

In-service training should be sharply distinguished from professional education prior to employment. Professional training is ob-

<sup>1</sup> Public No. 379, 76th Congress, 1st Session, sec. 209 (b) (6), (7).

<sup>2</sup> *Helvering v. Gerhardt*, 304 U. S. 779.

tained in schools of social work, law, medicine, nursing, and business, but in-service training is specific training on the job. It is the business of the agency—just as the continuous training of salesmen is the job of the business for which the salesmen work. In-service training for new public welfare employees is a method of inducting them into the service and of communicating to them the interpretation of rules, regulations, and specific procedures peculiar to the agency. Such training for older employees is a means of increasing efficiency and of promoting *esprit de corps*. It is a continuing necessity.

The means of conducting in-service training are various. Regular and special staff conferences, when carefully planned, may have an in-service training aspect. They are usually conducted by the discussion method with a leader in charge who has taken time previously to organize the material for the conference. This kind of a conference may be planned for particular groups of workers, such as case workers, field staff, or subexecutives. Staff meetings are on regular dates of the week or month. Many of them are ill-planned and perfunctory and amount to little more than an occasion for the administrator or the supervisors to announce decisions regarding policy or practice; this is not a method of in-service training but an opportunity to give orders. In many states institutes are held for either state or county workers. An institute resembles a staff conference in many respects, but it is usually more elaborate, more formal, and longer. The institute may last several days and utilize both discussion and formal addresses, and it may include the serious study of certain books or manuals. Institutes may recur once a year or once in six months, but they are less frequent than staff conferences and more likely to occur at irregular intervals. Another method of in-service training is to give one or more carefully prepared courses of study which continue over a long period of time. These resemble classroom teaching in a professional school except that they are in general more narrowly technical, though broad matters of policy may be brought up for analysis and criticism. The advantage of the in-service "course" is that it requires more sustained intellectual effort than the staff conference and the institute, and, consequently, takes on a seriousness that sets it apart from these.

#### ADJUSTMENT OF CONFLICTS

Conflicts arise, or may arise, in the most skillfully operated public welfare agency. They may be due to personality clashes, imposition

of one employee on another, slack habits of work, inefficiency because of lack of ability, or misunderstanding. Machinery for dealing with conflicts within the staff should be provided in advance of any occasion for its use. When a new agency is created, the rules governing personnel should include provisions for handling conflict situations.

**Transfer.** In case of conflicts due to personal relations or to inability to do the work assigned, the worker may be transferred to some other supervisor or to another unit of the department. This would normally occur when the administrator feels that the worker means well and can be useful to the agency in some position. Supervisors at any administrative level have repressions and emotional complexes resulting from them, and they may punish a subordinate for their own shortcomings. An employee may get a consistently low service rating because of an irrational antagonism on the part of his supervisor. A transfer gives the administrator a new opportunity to observe the worker in different circumstances, and it gives the worker a chance to prove his usefulness in another situation.

**Collective Bargaining.** Collective bargaining is now a legally established right of both public and private employees. They may be represented by one of their own group, or they may choose a representative from a union. Local chapters of the American Association of Social Workers often have "grievance committees" which undertake to represent employees who feel aggrieved and to negotiate improvements in working conditions. Since public welfare agencies require many different kinds of workers, some of them may belong to unions of the American Federation of Labor or to the corresponding unions which are currently affiliates of the Congress for Industrial Organization. The right of public employees to strike is doubtful and is probably against the public interest, but the right of public welfare employees, social workers, and others to belong to unions and to negotiate with the agency is unquestioned. If the administrator or the welfare board accepts the fact of employee organization in good spirit, there is no reason to expect ill effects. On the contrary, it may be utilized very effectively as one of the agents in personnel management. Unions discipline their own members for infraction of rules; if their rules include provision for honest work and loyalty to the public service, petty infractions of rules and regulations may be handled by the union more effectively than by the administrator. The local chapter of the American Association of

Social Workers and the unions can make important contributions to the maintenance and improvement of standards of service in ways other than negotiating conflicts, but certainly that is one important function which they now have.

**Appeals.** Civil service and merit systems provide routine procedure for appealing a decision against an employee. The appeal body ought to be sufficiently independent of the administrative management of the agency to assure a fair hearing for the employee. Local, state, and federal civil service commissions function as the final administrative appeal authorities for classified employees. They have nothing to do with the operating agencies of government except to select and certify eligible workers. Consequently, they are properly regarded as disinterested bodies.

Where the central personnel agency is headed by a single executive, an appeal board or committee is created. Personnel rules and regulations should make it perfectly clear that any employee who is transferred, demoted, or discharged under circumstances which seem to him unjust has the right to appeal his case without prejudice to his status in the classified service if he is able to sustain his appeal. The fact that appeals can be made gives security to the employee, and it tends to make the administrator cautious and lead him to be certain that his grounds for disciplinary action are real.

But such an appeal body should be fully aware of its other obligation, that is, to enhance the quality of the public service by helping good executives to remove incompetent employees. A civil service commission has been known to take the position that its main obligation is to find public jobs for citizens of the state and not to improve the personnel. This is a perverted idea of civil service.

### QUESTIONS

1. What is personnel management?
2. Discuss the relative merits of uniform salary and the salary class interval for a position.
3. How was the salary scale in your county department of public welfare determined?
4. Compare the advantages of promotion on the basis of service rating with promotion on the basis of an open examination.
5. What are the rules regarding vacations in your state department of public welfare?



6. Discuss the uses of, and the means of providing for, special leaves of absence.
7. What is the difference between professional education and in-service training?
8. What rights of appeal have public welfare employees in your state, and what is the procedure?
9. If there is a social workers' union in your community, what does it do? Does it seem to have a sense of public responsibility?

## CHAPTER XX

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### EDUCATION FOR THE SOCIAL SERVICES

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Reference has already been made to the fact that several professions besides social work are required to administer the public social services. But the training of people for the profession of social work is the main purpose of education in this field. Professional social workers or those who have acquired the ideas and skills required in social administration are responsible for performing the services authorized by law. Accountants, typists, stenographers, machine operators, and filing clerks are necessary for the administration of public welfare work, but they are neither responsible for determining policies nor for giving service to those who need it. The physician, the dentist, the lawyer, and the nurse are indispensable specialists in a public welfare agency, but it is the social worker with his distinctive feelings, ideas, and objectives who determines the character of the public welfare agency. The other professional persons acquire viewpoints which are essential in social work, but they remain primarily specialists. The social worker is the professional person par excellence who is concerned with the relief of distress caused by economic and social conditions and with the development, restoration, or maintenance of full, all-round working capacity. The viewpoint of social work has regard to the whole person in the person's natural and social environments. Therefore professional training is needed for the social-work personnel if they are to give a maximum of service.

Professional education for social work had its formal beginning when the Charity Organization Society of New York organized a six-week training course in 1898. About two years later the first start toward schools of social work was made in Boston and Chicago. By 1903 the New York course of study was expanded into a six-month course, and in 1904 this curriculum was given the name of New York School of Philanthropy. The course of study at Chicago

was from the first under the auspices of the University of Chicago and was originally known as the Institute of Social Science. A few years later its name was changed to the School of Civics and Philanthropy. Several other training courses were opened either as independent schools or as special curricula in universities by the end of World War I. It was in the decade after the war that most of the schools in which social workers were trained began to call themselves "schools of social work." The school at the University of Chicago did not adopt this name but changed from the School of Civics and Philanthropy to the Graduate School of Social Service Administration (the term "graduate" was later dropped). In 1919 there was sufficient consciousness of professional education for social work to lead to a meeting of representatives of the schools. Nineteen of these schools constituted the charter members of the first national organization, the Association of Training Schools for Professional Social Work.<sup>1</sup> Thirty years later 49 private schools of social work were members of the Association, and its name had been changed to American Association of Schools of Social Work.

During the decade 1930-1939 the American Association of Schools of Social Work succeeded in raising educational standards markedly. By October 1, 1939, all member schools were on a postgraduate basis; at that time the bylaws of the association required that the members admit only students who had graduated from an accredited college or university—although exceptions to the extent of 10 per cent of the student body were allowed. Schools are classified as one-year and two-year schools. The first type of school has a curriculum for at least one academic year but for less than two years, and the second type of school provides a course of study extending over a period of at least two years. These advances in standards of education reflect the growing recognition on the part of the public of social work as a profession with a body of knowledge and technical principles.

#### SCIENCE AND THE PROFESSIONS

The "learned professions" have been those vocations which have required a longer period of training than is necessary for ordinary skilled occupations and which have sooner or later become asso-

<sup>1</sup> *The American Association of Schools of Social Work*, a pamphlet published by the Association, May 1, 1938, p. 4.

ciated with the universities as professional training centers. Each profession, when recognized as such, has been observed to require a peculiar body of knowledge, certain skills, the necessity of personal decision to act in critical situations, and a sense of public responsibility. Law, medicine, theology, and teaching have for a long time been regarded as professions. In recent decades many new occupational groups have appeared which consider themselves professional. Obviously, the concept of a profession is qualitative; it cannot be measured and determined precisely. The result is that we readily accept certain occupations as professions but hesitate to give the same recognition to others which we are inclined to think have not yet "arrived."

Social work is one of these late occupations which aspires to recognition as a profession. By the end of the nineteenth century social workers, engaged in various types of work, were beginning to recognize common interests and methods, and they organized the first plan of study in the Charity Organization Society of New York. The first schools of social work were not the invention of the universities but of the social workers themselves, and some of the schools had no connection with universities. Schools of law and medicine in this country began in the same way. These schools, like the early schools of social work, were primarily trade schools; they did not rest upon a foundation of studies in the sciences.<sup>1</sup> An occupation, therefore, seems to grow into a "learned profession" over a period of time and after the practitioners of the occupation recognize the need of systematic technical education for the practice of it.

**The Older Professions.** Those occupations which we recognize without question as professions—law, medicine, teaching, and theology—came out of folklore and the folkways. The priestly profession of theology is the oldest of the four; there were schools of priests in Egypt, Palestine, Greece, and Rome, whose chief function it was to transmit from the older to the younger generation the accepted religious tradition; no distinction was made between history and mythology. Codes of law have existed in the Western world for millenniums, and the lawyer was someone who knew the currently accepted parts of the legal code and the empirical rules of the moment. Prior to the present century, the young man who wanted to be a lawyer usually arranged with an older lawyer to "read law"

<sup>1</sup> Edith Abbott, *Social Welfare and Professional Education*, 1931, pp. 61-65.

in his office. Doctors in the large cities were until the last half of the nineteenth century organizing themselves into impromptu faculties to give instruction to young persons who wished to go into medicine. The apprentice in a physician's office "took lectures" at these schools and applied his theory under the eye of the physician. The idea that there is an art of teaching which could be communicated through a specially organized curriculum is a discovery of the late nineteenth century. The "older professions" trained young people by the apprenticeship method, just as the "charity worker" of the nineteenth century was trained.

The conscious effort to relate law, medicine, and teaching to the academic scientific disciplines belongs to the present century. This fact does not, however, warrant the conclusion that there were no learned lawyers, no good doctors, and no skillful teachers prior to the twentieth century. On the contrary, there were many of them, especially lawyers and teachers, but their professional training was less systematic than it is today. The development of professional curricula in law, medicine, and pedagogy in the universities, and the legal restrictions placed upon the practice of these professions without a state license, have reduced the number of quacks and have raised the general level of competence among the practitioners. Law, medicine, and teaching are arts depending for their efficacy upon certain sciences and skills.

We sometimes speak of "legal science," "medical science," or "pedagogical science," but these are loose, if not inaccurate, uses of the word "science." If there is a legal science, it is the sum total of knowledge of and about the law and of related biological and social science material. If there is a medical science distinguishable from the sciences, it is the synthesis of these sciences brought to bear upon a specific concrete problem which has physical, chemical, biological, and perhaps psychological and social aspects. If a "science of pedagogy" can be found, it will consist of the principles and facts of a number of scientific disciplines brought to bear upon a concrete problem. A profession deals with concrete problems, and these problems usually are not simple matters of physics, chemistry, biology, psychology, economics, or sociology, but complexities which have physical, chemical, biological, psychological, and social aspects. To do something about such a problem requires attention to whatever conditions exist and the use of whatever knowledge is pertinent. The ability to diagnose a problem and to use scientific principles

and knowledge to solve it is professional ability. Because this is the accepted conception of a profession today, professional schools of whatever kind are more and more associated with universities where the student has access to the sciences which are related to his profession.

**Social Work.** The new profession of social work has its affiliations with science which in principle are similar to those of the older professions. The sciences with which social work is most obviously affiliated are economics, political science, psychology, and sociology. These disciplines have been recognized by the American Association of Schools of Social Work as the scientific disciplines most important to the practice of social service.<sup>1</sup> Through the analysis and description of social reality the social sciences reveal the variability of social phenomena and help to formulate norms. A norm may be an idealistic conception, or it may be a practical conception derived from a statistical average. Most norms which enter seriously into determining the objectives of social work are probably a mixture of idealistic and practical elements. The methods and the knowledge necessary for achieving the norm in the case of an individual, a group, or a community constitute an art based upon the social sciences, and that art is social work.

The recognition of human need of whatever kind is the function of the individual citizen; and by organizing sentiment and means this citizen does something about need. The recognition of need involves sympathy and implies the current state of culture. Psychology and sociology are concerned with these phenomena. The organizing of sentiment to take action for the relief of need requires the use, consciously or unconsciously, of the materials of psychology and sociology. The drafting and passing of a legislative measure which authorizes and outlines a plan for social service organization, is related to political science, although the conception of a working organization with certain standards is technical and, therefore, related to social service administration. If the measure is intended to give some form of material relief, the norm stated or implied has an economic aspect. The financial provisions of any legislative measure involve questions in economics as well as in political science. The determination of need in a particular case requires the application

<sup>1</sup> *Preprofessional Education for Social Work*, 1946, p. 3, and *Preprofessional Education for Social Work*, 1949, p. 2. Both pamphlets were published by the American Association of Schools of Social Work.

of the economic norm within the limits set by political action. The standards of maintenance and service, which are the administrative devices for approximating norms of condition and development, whether these standards relate to material relief, unemployment insurance benefits, or institutional care, probably involve the fields of all the social sciences. The knowledge and techniques for dealing with individuals, groups, and communities have been developed out of the observation of experience and out of research. But each social science, including psychology, tends to hypostatize an aspect of social reality and to concentrate attention upon this aspect largely to the exclusion of other aspects. The social-work situation, however, is integral: it is at one and the same time economic, political, psychological, and sociological. Social work is the profession which undertakes to utilize these sciences in the solution of concrete problems of human beings. The competent social worker is able to see in a concrete situation all of the aspects of social reality and is able to deal with the totality as a unit which is the social-work situation.

Social work, perhaps more than most professions, has important relations with several other professions. The social worker does not attempt to give medical treatment when a client is sick, but enlists the aid of the physician, the dentist, and the nurse. If legal questions arise, the lawyer is consulted. Teachers are often needed in the social-work situation. Much of the knowledge and skill of the social worker are utilized in bringing to bear upon a concrete problem all of the professional services which are needed; the result is a public welfare service to an individual, a group, or a community.

### SCHOOLS OF SOCIAL WORK

The schools which train people for the public and private social services are all members of the American Association of Schools of Social Work and may be referred to as schools of social work. They have similar minimum standards but differ widely in the scope and details of their curricula. A number of new schools are in process of establishment at various universities, but for the purposes of this discussion we may consider only those schools which have qualified for membership in the American Association, of which there were 49 in November, 1948.<sup>1</sup> All of these schools require graduation from

<sup>1</sup> *Statistics on Social Work Education*, November 1, 1948, and Academic Year 1947-48, by the American Association of Social Workers, New York, 1949.

an accredited college or university as a condition of admission to the professional curriculum. With rare exceptions the students have reached chronological maturity, if not maturity of personality.

**Basic Types of Social Work.** Three basic types of social work are recognized: case work, group work, and community organization work. The knowledge and the skills required by each differ in important respects from those required by the others. The chief problem in the construction of the professional curriculum is to provide the courses which meet the requirements of each, and which are in proper balance. It is generally recognized that every social worker should know something about all three types of social work. The work of all the numerous kinds of social welfare agencies can be classified under one or more of these types. They are the fundamental categories of social work. The public or private character of the welfare activity does not alter its essential nature. Carrying on any kind of social work implies the use of all the means at our disposal to effect the desired result—information, interviewing, recording, analysis, social diagnosis, institution, probation, parole, financial assistance, employment placement, research, statistics, fund raising, appropriations, legislation, office routine, personnel, etc. Whatever the activity, we deal with the individual or the family, which requires case-work methods, or we deal with a small group of persons interested in the same objectives, which implies group-work technique, or we are concerned with co-ordinating many groups in a community for the purpose of establishing a policy or setting up a service agency, which involves the techniques of community organization.

The nature of the three kinds of social work may be made clearer by illustrations of each. Relief agencies, child-welfare agencies, family service agencies, probation and parole agencies are primarily engaged in social case work. Settlements, recreational agencies, and summer camps represent group work. While it is not usually so thought of, it seems proper to think of a committee, when conducted by democratic methods, as utilizing group-work methods to arrive at decisions and plan activities. On the other hand, a committee may be engaged in planning something which involves the entire community and is, therefore, an agent of community organization. Councils of social agencies, community funds, local pressure or reform groups, and legislative lobbies are engaged in the activities of community organization. Sociological accounts of community or-



ganization have often been merely descriptive; they have shown how the community is constructed at a particular time. But the social-work conception of community organization is concerned with such descriptions only as points of departure for action. Community organization work is a process by which common purposes are formulated and steps taken to realize them.

Research has sometimes been called another kind of social work. That seems to be due to loose definition of terms, because research is a tool of social work of all kinds. It is simply the utilization of common scientific methods for the purpose of answering questions pertinent to social work. Case, historical, and statistical methods are all available to social work, as they are to the social sciences. The best researcher is likely to be the person who knows most about social work, provided further that he has been disciplined to ask useful questions and to seek answers to them by any method known to science.

Neither is administration a specialization which sets it apart as something outside of the three kinds of social work. It is merely the social agency in action—the organized agency in all its parts moving to accomplish the task for which it is established. The strategy of social work consists in utilizing the basic types independently or in combination as the situation demands, and the good administrator is the person who can so integrate office routine, staff functions, financial management, relations among members of the staff, and public relations that maximum service is effectively given. Administration simply means getting something done; it may be case work, group work, or community organization, or it may be achieving some objective which involves all of them simultaneously or at different times.

**The "Minimum Curriculum."** In 1932 the American Association of Schools of Social Work adopted what was called the "minimum curriculum." From that date all new schools applying for membership in the association were required to show that their curricula included the minimum curriculum, and in 1934 the association amended its bylaws to provide that within three years all member schools must be able to meet the qualifications required of new schools. A review of the schools was made in 1937 to determine their compliance, and two schools were dropped from membership because they failed to meet the conditions stated in the bylaws.<sup>1</sup>

<sup>1</sup> *The American Association of Schools of Social Work (op. cit.)*, pp. 6, 7, 11.

The minimum curriculum was intended to provide one year of reasonable uniformity in instruction in all schools of social work; beyond that the schools are at liberty to use their own discretion.

This curriculum as it was in 1940, marking an important milestone in professional education, is given in Table 35. Ten years later it

TABLE 35  
COURSES IN THE MINIMUM CURRICULUM OF THE AMERICAN  
ASSOCIATION OF SCHOOLS OF SOCIAL WORK, AND NUMBER  
REQUIRED IN EACH GROUP<sup>1</sup>

GROUP	COURSE TITLE	NUMBER OF COURSES REQUIRED FROM THE GROUP
A	Case Work, Undifferentiated	3
	Medical Information	
	Psychiatric Information	
B	Community Organization	2
	Specialized Case Work	
	Group Work	
C	Public Welfare Administration	2
	Child Welfare	
	Problems of Labor or Industry	
D	Social Statistics	1
	Social Research	
	Social Legislation	
	Legal Aspects of Social Work	
..	Field Work	
The amount of field work may not exceed one third of the normal credits received by a student in one academic year		

remained substantially the same, and during this period emphasis on details declined and is now directed at fields of practice. A minimum and a maximum amount of credit was stipulated for each course. It is easy to see that the minimum curriculum emphasized case work. In Group B a student could omit the study of group work or the study of community organization. In Group C he could take child welfare, which is likely to be given with a bias toward case work, although it is almost certain to deal to some extent with the public program for children and hence to resemble a part of public welfare administration. Because such a large proportion of students find their first employment in public agencies it is almost as important for them to have a course in public

<sup>1</sup> American Association of Schools of Social Work, By-Law I, Sec. 2, C.

welfare administration as in case work. The course in public welfare administration contains much that is related to community organization, while at the same time it gives an account of the public facilities available for case work. In doing field work the student has an opportunity to participate to a limited extent in group discussion and in community organization, but the most of his time is given to case work under supervision. The conclusion which all the schools and most social workers have drawn from experience with the minimum curriculum is that one year of professional training is quite inadequate. All schools, as a matter of fact, were offering two years of professional training in 1939, but one-year schools were again recognized a few years later in order to provide more people with at least some professional training.

**The Larger Curriculum.** After a student graduates from college it takes about two years in a professional school to cover the material and provide the supervised field work which are desirable for the prospective social worker. The aim of the schools of social work is not to turn out mere technicians but to graduate students who have the requisite technical training plus a statesmanlike attitude toward social service.

There was a time not many years ago when even the schools of social work tended to emphasize narrow specialties and to divide the profession of social work into as many pieces as there were types of social agencies. Fortunately that viewpoint has given way to the belief that professional education should be broad and scholarly. The social worker should be an "educated person" in the best sense of that phrase.

Since neither the social workers nor the members of school faculties are fully agreed on what should go into the professional curriculum, it is not possible to outline the subject matter of professional education in such a way as to satisfy everybody. This should not be too disturbing, because the doctors and the lawyers after several centuries still debate the subject matter which is taught in their respective professional schools. More agreement will be reached on present issues, but it is to be hoped that the subject of the professional curriculum will always be open to debate. As an illustration of curriculum content and as a way of making this content more concrete, the following outline of subject matter is given; it will be found more or less in this form in schools of social work which have a two-year curriculum.

- I. Case Work:
  - Case Work I-III
  - Short contact case work
  - The child in a foster home
  - The child in an institution
  - Medical Social Work I-II
  - Psychiatric Social Work
  - Field work
- II. Group Work:
  - Group Work I-III
  - Arts and crafts
  - Creative dramatics
  - Social recreation
  - Camp counseling
  - Supervision
  - Hospital group work
  - Social education
  - Field work
- III. Community Organization:
  - Community Organization I-II
  - Social and financial planning
  - Field work
- IV. Organization and Administration of Social Work:
  - (1) Subjects relating mainly to organization:
    - Public Welfare, I-II
    - Social insurance
    - Economic problems related to social work
    - History of social work
  - (2) Subjects relating mainly to administration:
    - Common problems of administration
    - Administration of public assistance
    - Court jurisdiction and procedure
    - Institutional administration
    - Public finance
    - Public relations
    - Public welfare accounting
- V. Research in Social Work:
  - Research I-II
  - Statistics I-II
  - Individual research
  - Thesis writing

Some of the items in this list could be combined, and others could be broken down into several courses. The items listed under organization might in several cases be regarded as problems in community organization. No logical scheme with mutually exclusive parts is possible, but this outline suggests the major problems of method, information, and process which are being considered by the schools of social work.

**Standards of Professional Education.** The American Association of Schools of Social Work is the delegate body of the schools which is concerned with standards of professional education. A few of the larger and older schools have from the beginning been the leaders in this movement, but the development of the American Association of Social Workers has been an important ally. Membership in the Association of Social Workers now requires that the applicant have completed a certain number of academic credits in the social sciences and professional courses, and it makes a specific requirement of a minimum number of hours of supervised field work under the auspices of a school of social work. Since membership in the Association of Social Workers has become recognized as some index of the professional qualifications of a social worker, welfare agencies give some preference to members of this association. This practice tends to make professional education essential to young people who wish to enter the field of social work.

This public recognition of the professional character of social work enables the schools to raise standards without seriously reducing the number of able young people who apply for admission. Another factor which has made the problem of standards easier for the schools is that on the average social workers with professional education advance more rapidly both in position and in salary than those who have never attended a school of social work. In some agencies, such as the Chicago Relief Administration, a graduate of a school of social work begins as a case worker with a somewhat higher salary than other newcomers to the field.

The history of rising standards of professional education may be outlined briefly. When the American Association of Schools of Social Work was organized in 1919 and for a number of years afterwards, any such school, whether connected with a university or not, could become a member. The Executive Committee of the Association after a few years began to apply some simple criteria for recommending a new school for membership. By 1924 a set of "prin-

ciples" had been adopted. These were applied to applicant schools. During 1930-1931 the Curriculum Committee of the Association became much more active; it began to analyze the content of courses and the methods of teaching. By December, 1932, the Association was ready to adopt a "basic minimum curriculum" which would be required as a part of the curriculum of future applicant schools as a condition of admission to the association. This basic curriculum has been changed only slightly since its adoption, but it is likely to be modified and extended considerably within the next few years. An intensive study of professional education began in 1938 with funds supplied by the Social Science Division of the Rockefeller Foundation. An extensive report of this study was published in 1942. As was expected, this study threw considerable light upon the content of the professional curriculum and upon methods of practice.

The placing of professional education for social work on a post-graduate basis has been a means of raising standards as well as a way of delaying the entrance of young people into social work until they are more mature. Since October 1, 1939, all members of the association have required graduation from an accredited college or university as a primary condition of matriculation in the professional curriculum. A distinction should be made between professional education after graduation from college and "graduate study." Graduate study in economics or chemistry implies that the student had a large amount of economics or chemistry as an undergraduate; such graduate study, therefore, is a continuation of study in the field of major interest where the student has done a great deal of work during his undergraduate course. The schools of social work, however, are not "graduate schools" in the ordinary sense of that term. They are professional schools, which increasingly require a minimum amount of undergraduate study of the social sciences (just as the medical schools, which admit only college graduates, require a minimum amount of chemistry, physics, and biology for admission), but which do not continue to teach academic social science. These schools use the social sciences as basic disciplines for professional purposes, or, to put it another way, aid in the development of skill in and knowledge of an art. The schools of social work have taken steps to make more certain that social workers will be people with a broad basis of general education, and in their own curricula they are working toward a broad professional education.

## SCHOOL STATISTICS

The importance of schools of social work is measured in one way by counting the number of students in various ways. The American Association has for a number of years been collecting annual statistics of enrollment and graduation from its members. Table 36 gives the enrollment as of November 1 for four different years.

TABLE 36

ENROLLMENT OF STUDENTS IN SCHOOLS OF SOCIAL WORK AS OF NOVEMBER 1, 1932, 1938, 1944, AND 1948, BY SEX AND BY FULL-TIME AND PART-TIME<sup>1</sup>

YEAR	NUMBER OF SCHOOLS	TOTAL			FULL-TIME			PART-TIME		
		Total	M	F	Total	M	F	Total	M	F
1932	24	2,863	384	2,479	1,534	195	1,339	1,329	189	1,140
1938	35	4,956	1,016	3,940	2,356	521	1,835	2,600	495	2,105
1944	44	7,008	653	6,355	3,212	215	2,997	3,796	438	3,358
1948*	49	6,119	....	....	2,331	715	1,616	2,119	...	....

\* Data for 1948 from *Statistics on Social Work Education, op. cit.*

By November 1, 1938, enrollment was 173.1 per cent of the 1932 enrollment, but in 1948 this ratio had risen to 215.3. The rapid increase after 1932 is easily explained. The vast new federal relief program had got under way. In many states the administration fixed a minimum age of 22 years for case workers and gave preference to those applicants for positions who had had either experience or training in social work. Regular employment was increasing more rapidly in the social-work field than in any other field, and many recent college graduates who had been unable to find work of any kind hastened to prepare themselves for this new field of employment which was placing emphasis upon professional training. By 1938 the field had ceased to expand so rapidly. New openings were not so plentiful. This fact undoubtedly had an effect on the swiftly rising enrollment in the schools before the middle of the decade. But another factor which tended to reduce enrollment was the rising matriculation requirements of the schools. Counteracting these

<sup>1</sup> *Report on Students in Schools of Social Work*, American Association of Schools of Social Work, 1933, 1935, and 1945.

effects somewhat and leading to the later increased enrollments were the amendments to the Federal Social Security Act in 1939 which enabled the federal government to set standards for personnel in public assistance.

Another interesting thing about these statistics is the ratio of women to men in the schools. Social work has traditionally been regarded as primarily a woman's job, although there have always been a few men in social work. In 1932 only 12.7 per cent of the full-time and 14.2 per cent of the part-time students were men. In 1935 these figures were respectively 18.9 per cent and 14.5 per cent, and in 1938 they were 22.1 per cent and 19.0 per cent. There had appeared a demand from the field for more men for certain positions. In six years the proportion of full-time men students rose from 12.7 to 22.1 per cent. By 1948 the percentage of men students was 29.7. It is reasonable to expect that there will always be more women than men in social work, just as in school teaching, but the need for a certain proportion of men in social work has been recognized. If the schools of social work find it necessary and desirable to train people for certain positions in the social insurance organizations, as seems probable, a larger number of men will enter with a view to finding employment in these agencies.

Students seem to have been spending more time in the schools in 1937-38 than in the academic year 1931-32. In 1931-32 a total of 623 persons received degrees or certificates, of which 283 were bachelor's degrees. In 1937-38 the number was 1,220, of which only 222 were bachelor's degrees, while 592 were master's degrees. In the academic year 1947-48, 2,272 degrees or certificates were awarded, of which 422 were given for completion of a one-year program, 1,836 for completion of the two-year program, and 14 for work beyond the usual two-year program. This change is due partly to the competitive advantage which further professional training gives and partly to the recognition on the part of the student that professional training is desirable.<sup>1</sup> These figures suggest that within a few years the public welfare services will be administered largely by people who have professional education.

<sup>1</sup> Data from *Report on Students in Schools of Social Work*, American Association of Schools of Social Work, 1932 and 1938, and from *Statistics on Social Work Education*, *op. cit.*, 1948.



*QUESTIONS*

1. What is a social worker?
2. Do you see any analogy between the history of the older professions and the history of the new profession of social work?
3. What are the characteristics of the social worker's job which warrant the claim of social workers that it is a profession and not just a skilled trade?
4. Discuss the relation of professional education to the social sciences.
5. Analyze the work of a county welfare department and indicate which of the basic types of social work are represented.
6. Criticize the "minimum curriculum" for social-work education.
7. Discuss and criticize the outline of subject matter for a professional curriculum given in this chapter.
8. Do you think the schools have been wise in requiring graduation from college as a condition of admission?

## PART FOUR

### FINANCE



## CHAPTER XXI

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### SOURCES OF PUBLIC WELFARE FUNDS

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The sources of funds for the maintenance of public welfare services, as in the case of some other governmental services, are numerous. Some of the public welfare funds are derived from the sale of farm and industrial products, from interest on bank deposits, and from fees for services rendered, but these constitute a small percentage of the total. By far the majority of such funds are derived from taxation. Federal, state, and local governments levy a great variety of taxes. Some of the federal collections are given to the states in the form of grants-in-aid, and some of the state funds are passed down to the local governments in the same form. In those states which require the counties to pay all or a part of the cost of maintaining persons in institutions, some of the county or other local taxes collected are turned over to the state agency which uses them in partial payment for the cost of services. Funds for immediate and pressing necessities may be borrowed, but eventually the loans are paid out of taxes collected, which means that borrowing is not a source of real income for public welfare purposes but is a device for maintaining services during a brief period when the cash available in the treasury is inadequate to meet the requirements of authorized services.

The means of securing revenue and the unit of government which secures it are determined by traditional practices, ease of administration of a particular tax, and the influence of pressure groups. Pauper relief has historically been a local responsibility and remains so to a large extent in most states. Consequently, until the differentiation of unemployment relief from other poor relief, which began in some of the states in 1931 and 1932 and in the federal government in 1933, the local government had to secure funds to pay for relief under the pauper laws. Because of long tradition and relative ease of collection, the means of securing funds for this service consist mainly of taxes on property. Hospitals for the insane have been and

are operated chiefly by state governments. For this reason the legislatures assume all or a large part of the responsibility for raising revenue for their support. Revenue may be raised partly by a property tax, but the means may be various, because state governments have developed numerous substitutes for the older property tax.

Pressure groups are often able to get a new tax approved. The new tax may be collected by a unit of government which has hitherto not administered a particular public welfare service, and it may take the place of an old tax or be a supplement to the existing taxes. The so-called Retailers' Occupation Tax in Illinois is a case in point. More revenue was needed for relief. Pressure groups opposed additional taxes on property and proposed this tax on retail sales. It is collected by the state, but the state grants large sums from the collections to the local relief agencies. Such facts lead to the conclusion that the means of raising revenue for public welfare services and the unit of government which raises the revenue, though in some respects guided by carefully determined policy, are for the most part matters of opportunism and expediency.

The proportion of the total public revenues which go into public welfare services should be a matter, not of temporary expediency, but of long-time policy. This is not to say that a specific policy incorporated into a legislative act should provide for the use of 10 per cent, 40 per cent, or any other definite percentage of total revenues in connection with public welfare administration. It means that the function of public welfare services in the social-economic system should be clearly defined and that provision should be made for raising sufficient funds to carry out this function. Since 1932 a huge proportion of total public expenditures has gone into relief, but much of this has been borrowed. The bonds have been or will be paid off at maturity, but new bonds may be issued, in view of the national debt after World War II, to pay the owners. We have acted on the theory that the cost of relief in a depression should be defrayed partly by taxpayers at that time and partly over a long period. Hence the amount of taxes to be levied during an emergency will depend upon a judgment as to what proportion of the relief costs it is wise, just, and expedient for contemporary taxpayers to bear. But that is not the same as the judgment concerning what proportion of total expenditures should go for all kinds of welfare purposes. The latter involves an estimate of the relative importance of conserving, restoring, or developing the working capac-

ity of persons who yet have a contribution to make to community life, and of maintaining at a minimum of subsistence and health for humanitarian reasons persons who have no future contribution to make to the community. It implies more than that. It involves a choice between social and economic security as an end in itself and social and economic security as a means of raising standards of living and promoting orderly government.

Obviously, to adopt one or the other theory in public social-service administration alone would be of little significance except as an aspiration has significance. If belief in a rising standard of living is still held in the United States, social and economic security as a means must penetrate and become a part of the whole social order, and the system of public social services will be an important part of the machinery for achieving better standards of living by utilizing human resources to the maximum. Social theory must include a conception of the general function of the social services in the social order, and government must have a policy with respect to the social services which is adequate to implement the function. The amount of funds made available will be a measure of how well we recognize the function and how seriously we take the policy, and in a given year we can then determine the proportion of total revenues for the public social services by finding the ratio of revenues going into the social services to total revenues. The ratio will clearly not be a constant figure but will be affected somewhat by the fluctuations of the business cycle and by the long-time trend in the average standard of living.

#### KINDS OF TAXES

There are dozens of different taxes levied by federal, state, and local governments. Pressed by the need for more revenue and by political groups, legislative bodies have shown extraordinary ingenuity in thinking of more things and persons to tax. Many explanations are required to account for the variety of particular taxes, but legislative bodies have probably been guided most often, first, by the productivity of the tax, and, second, by the public reaction to it.<sup>1</sup> The wisdom of imposing a given tax, from the viewpoint of the social economy, is another matter, but the tax must produce sufficient revenue, along with other taxes, to meet the requirements, and it must not be resented too much by the public. Most

<sup>1</sup> For a discussion of "the equitable distribution of taxation," see Alfred G. Buehler, *Public Finance*, 1936, ch. 14.

taxes which have been levied may be classified under one or another of three headings: (1) property taxes, (2) excise taxes, and (3) income taxes. Poll taxes, inheritance taxes, and perhaps a few other rare ones do not seem to belong in any of these categories.

**Property Taxes.** The tax of which very many people are most conscious is the general property tax. This tax has a number of varieties, but they are usually grouped as taxes on real property or on personal property. There is no universally accepted definition of property in American tax procedure.<sup>1</sup> Real property is often regarded as those immovable objects which have economic value, such as land, buildings, and permanent improvements; and personal property is used as a term to cover movable property, such as personal belongings, household goods, motor cars, stocks, bonds, and mortgages. While almost everybody owns at least the clothes he wears, not everybody pays a general property tax. Most people do not own real property and, therefore, do not pay this tax. Many others do not pay a personal property tax, either because they evade assessment or because personal property below a certain amount is not assessable. When in the past property consisted mainly of real property, or where in rural communities it still does, a tax on real property was paid by almost all citizens who were able to pay a tax.

However, in the cities and in the country generally personal property has become much more important in the twentieth century than it formerly was. People of great wealth may own very little real property. Stocks, bonds, and mortgages are referred to as "intangible property." It has been much more difficult to tax this kind of property, because it is relatively easy to conceal. Consequently, new methods of taxing intangibles have developed, and the taxes derived by the federal and state governments from this source now make up a considerable fraction of total taxes collected.

Classification of property for tax purposes has gone much further in some states than this simple division into real property and personal property. Without a definite attempt to classify property, as Professor Leland has pointed out, some classification is effected by imposing a uniform rate on similar property assessed at different fractions of its value, by applying different rates to property of various kinds which are assessed at the same fraction of the value, and by other means.<sup>2</sup> Buehler notes that comprehensive classified

<sup>1</sup> *Ibid.*, p. 271.

<sup>2</sup> S. E. Leland, *The Classified Property Tax in the United States*, 1928, pp. 42 ff.

property taxes existed in 1936 in six states.<sup>1</sup> In these states an effort has been made to levy property taxes in a way which is least burdensome and which bears some relation to the possession of property as an index of ability to pay. Many other states have added classes to the two original classes, but the most common one is the separate classification of intangible property.

**Excise Taxes.** What are referred to as excise taxes vary in different states. There is no definition of an excise which is generally used. Even income and inheritance taxes have been called excise taxes, but it is useful to employ the term in a more restricted sense. It may properly be used as almost synonymous with sales taxes. The chief question is whether tariffs and gross income taxes are in effect sales taxes. A tariff and a gross income tax, at least in part, are taxes on commodities. They are not paid directly by the consumer, but neither are the federal taxes on cigarettes and liquor. That part of a gross income tax, such as is in operation in Indiana and in Hawaii, which applies to personal income is not in the nature of a commodity tax but is essentially an income tax. We may say, then, that excise taxes include all those taxes on commodities which are paid directly or indirectly by the consumer, because a sales transaction has been made, but that the part of a gross income tax which applies to personal income is not an excise tax.

The number of specific excise taxes is legion. Tariffs are ordinarily imposed upon imports from foreign countries by the federal government. The federal tariff laws raise a considerable amount of revenue, but that seems to be incidental now to their main function of protecting domestic industry and agriculture.<sup>2</sup> Recently states have imposed what in substance amounts to tariffs. Texas imposes a special tax on liquor brought out of Mexico, whether for consumption by the owner or for sale. Indiana has a "liquor import" law which applies to alcoholic beverages brought across the state line from other states. Many states impose taxes on trucks which cross their borders from neighboring states. This is an extraordinary situation, because we had supposed that, when the Federal Constitution superseded the Articles of Confederation in 1789, the states constituted a customs union and were an area of free trade. Such tariffs are undoubtedly established for protection of intrastate industries rather than for the purpose of raising revenue. The con-

<sup>1</sup> Buehler, *op. cit.*, p. 295.

<sup>2</sup> Buehler, *op. cit.*, pp. 365, 366.



sumer ultimately pays the duties on imports, because they are added to the sale price of the commodity.

The taxes which are popularly called "sales taxes" apply to many special commodities or to all retail sales. The taxes on tobacco, cigarettes, liquor, cosmetics, theater tickets, tickets to sports events, and the like are special sales taxes. Some of these are added at the time the commodity enters the market and are paid in the first instance by the manufacturer. They may be applied at other points on the route between manufacturer and consumer, but in the end the consumer pays the tax as a part of the price of the commodity. In the case of tickets the tax is added to the price of the ticket, and the consumer is conscious of paying it every time he buys a ticket which is taxable. General sales taxes usually apply to all retail sales in a state or city. The sales tax in Illinois was euphemistically called in the act the Retailers' Occupation Tax, but when the consumer bought a commodity with a price of \$1, the clerk added three cents for the tax. The Indiana gross income tax applies to both personal and corporate income, whether of the manufacturer, the wholesaler, or the retailer, but the rate is lower for the manufacturer and the wholesaler, and the retailer is allowed an exemption for a certain maximum amount of sales. General sales taxes are usually imposed by the state government, but New York City has a sales tax of its own. The special sales taxes may be imposed by any unit of government. The general sales tax is an *ad valorem* tax and is a recent development in American taxation. Special sales taxes are more often flat amounts per unit of the commodity irrespective of what the final retail price may be.

**Income Taxes.** Income taxes take several different forms. Those with which we are most familiar are the taxes on individual net income, corporation net income, and wages of persons in social insurance. The net income taxes are imposed on individuals and corporations after certain deductions for exemptions and costs of doing business have been made; and they are "progressive," or graduated, the rate increasing by income class intervals. Both the federal government and many of the states levy net income taxes. The tax, or contribution, collected from persons covered by unemployment compensation and by old-age and survivors insurance is in most cases a flat percentage of wages or salary and is applied to no other income of the employee. Only a few states require a contribution from employees for unemployment compensation, but in those

states, if the law provides for an experience rating for the purpose of reducing the contribution rate, the employee's rate of contribution may be reduced. Hence, the social insurance tax is a "proportional" tax, not a progressive tax.

Considering the universal dislike of all taxes, there is relatively little opposition to income taxes. It is more obvious that the rates are imposed in proportion to ability to pay than is the case with any other form of taxation. The assumption back of the progressive rate is that to take a higher percentage of the income of persons with large incomes affects their standard of living less than a similar rate would affect the standard of living of persons with small or moderate incomes. The present federal law exempts only \$600 for the taxpayer and the same for each dependent, and the tax rate is sharply graduated. Certain additional exemptions are allowed if there are dependent children. These exemptions remove the majority of the gainfully employed population from the scope of the income-tax laws. While the present income taxes are not levied primarily on the rich, they are intended to reach that economic class rather than the lower-income groups. When economic conditions are good, the collections from the income tax are large, but they fall off sharply during a depression, because incomes are reduced.

**Other Taxes.** Some taxes cannot clearly be classified as property, excise, or income taxes. The more important of these special taxes are inheritance, poll, and pay-roll taxes and the fees charged for the registration of legal documents, such as deeds and mortgages, or the issuance of legal documents, such as marriage licenses and licenses to practice medicine or to carry on a business. The inheritance tax is imposed on the estate of a deceased person and is a graduated tax. Poll taxes vary in amount from state to state but are always a flat amount per person; sometimes only adult males pay the tax, and it may be remitted after age 60 or some other attained age. The federal taxes on an employer's pay roll for old-age and survivors insurance and unemployment compensation are referred to in the law as "excise" taxes,<sup>1</sup> but they are not excise taxes according to the definition used above, because they do not apply to commodities. In those states which have compulsory state insurance for workmen's compensation, premiums are assessed against employers; these are somewhat different from the other pay-roll taxes, because the assessment is not made upon the basis of wages

<sup>1</sup> *Social Security Act, as Amended, 1939*, secs. 1410 and 1600.

paid but on the basis of the probable accident rate in the state or in a particular industry. Fees for licenses and for the registration of documents are sometimes, and sometimes not, flat rates. Fees for licenses are usually on the basis of flat rates for the particular type of license, but the charge which is made for registering a document may be graduated according to the amount of money involved. In a broad sense the fees for licenses and registrations could be regarded as excise taxes, although they apply to a service rather than to a commodity.

### CHOICE OF A TAX

The taxpayer has no choice as to what taxes he shall pay, once they are imposed, but he can, and does, exert pressure on his legislative representatives to moderate a tax or to abandon a proposed new tax. Legislative bodies respond to strong pressure, but in the end they have to provide for the raising of sufficient revenue to pay the cost of those governmental functions which are authorized or mandatory. Consequently, it is proper to consider what is a good tax from two viewpoints: first, its effects upon the taxpayer and the social economy, and, second, its desirability, granting that it is economically sound and politically possible.

**Essentials of a Tax System.** Many writers have stated the characteristics of a good tax system. One of the most recent to do this is Professor Alfred G. Buehler. He lists nine essentials of a tax system: (1) productivity of the tax, the primary consideration; (2) elasticity, so that it responds to control as revenue is needed; (3) stability, to assure adequate revenues in both prosperity and depression; (4) diversity of sources, to assure a sufficient amount of revenue; (5) simplicity, so that the public will understand and it can be administered easily; (6) certainty; (7) convenience as to time, place, and manner of payment; (8) economy, involving the selection of the least objectionable taxes and those which can be administered efficiently; and (9) justice.<sup>1</sup> "From the viewpoint of taxpayers, the cardinal principle of the tax system is that taxation should be employed to distribute the costs of government justly. The tax system should be in harmony with the ethical, social, economic, and political standards of justice prevailing in the community."<sup>2</sup>

No single tax would satisfy all of the essentials which Buehler

<sup>1</sup> Buehler, *op. cit.*, pp. 219-225.

<sup>2</sup> *Ibid.*, p. 225.

prescribes for a tax system, but a number of different taxes which make up the system may be chosen and in large measure meet the requirements. Not all varieties of taxation, however, are available to governmental units. Many states cannot have net income taxes, because their present constitutions do not allow such taxes, and it has been demonstrated that amending the state constitution to permit a net income tax is exceedingly difficult. Local governments can use only such taxes as the state constitution and the legislature permit them to impose. Hence, the selection of particular taxes has to be made on the basis of existing constitutional and statutory limitations, and this may, at a particular level of government, prevent the adoption of a system that is as wise and just as may be conceived and desired by the legislative body.

**Taxation and the Welfare Administrative Level.** The fact that public welfare services are administered at various levels of government and that some of them are administered by one level of government alone is related to the problem of revenue. Addressing the conference of the National Municipal League in 1935, Dr. J. Roy Blough emphasized this problem: "What difference, some may ask, does it make what governmental unit finances relief, must not the taxpayers bear the burden in any case?" he asked. "The answer is, yes, the taxpayers must in the long run bear the burden in any case, but different groups of taxpayers will bear it in different cases. The economic groups of taxpayers will differ and the geographical groups of taxpayers will differ. Furthermore, relief administration and its control are likely to differ."<sup>1</sup>

While this argument applies with particular force to the problem of financing unemployment relief, it applies in varying degree to the financing of other forms of public welfare service. Exclusive responsibility for the existence of a particular social problem can rarely be fixed upon the population of a given county, city, or state. Perhaps supervision of probation, granted by county or municipal courts, would seem to be the exclusive problem of the county or the municipality, but in Rhode Island it has been found better to finance it on a state-wide basis. The cost of operating prisons is paid almost entirely by the federal and state governments, although convictions are obtained and sentences passed for the most part in federal district courts and in county courts. The insane are committed to

<sup>1</sup> "Financing Unemployment Relief," unpublished manuscript, address given November 26, 1935.

state institutions by local courts or commissions; in some states the counties pay a part of the cost of care and treatment, while in others the entire cost is borne by state appropriations. Public assistance, other than general relief, is now financed by either two or three levels of government. The total public welfare program is of such magnitude that it cannot properly be financed by one or a few kinds of taxes.

The different taxes are administered better at one level of government than at another. General property taxes have so far proved to be the best form of taxation for the local governmental unit to administer, and the increasing tendency is to leave this tax to local governments. In times of depression, however, tax delinquencies increase, values fall, and the amount of revenue declines. Local resources are not adequate for the township, city, or county to assume the additional burden. The general sales tax with a few exceptions has been left to the states. This occurred in some states, because the state government needed more revenue and chose to leave the general property tax largely to the local governmental units. Special sales taxes are imposed by the federal and state governments, but license and other service fees are usually collected by state and local governments. In spite of the fact that some states have ventured into the field of tariffs, this form of taxation properly belongs to the federal government, because it is responsible for foreign relations. Income and inheritance taxes can hardly be administered on a smaller base than the state, because of the scattered sources of income and the many locations of property. Thus, by experience we find that certain taxes come to be regarded as the special prerogative of one or another level of government. To finance the public welfare program sufficient funds are necessary to do a good job; hence we are more and more sharing the cost of these services among the several levels of government.

### THE ASSIGNED TAX

The revenue collected from a particular tax may be assigned by the legislative body to a special governmental service. That is popularly called "earmarking" a tax. The fees for services which in the local governmental units amount to a fairly large sum of money may go each to the department which renders the service. It is a common practice for state colleges and universities to retain

for their own use the fees which they collect. Pay-roll and wage taxes are assigned for unemployment compensation and old-age and survivors insurance. In some states there has been a recent tendency to assign the revenues from certain taxes to public welfare

TABLE 37

STATES DESIGNATING CERTAIN TAXES FOR RELIEF PURPOSES, 1935 <sup>1</sup>

STATE	NAME OF TAX DESIGNATED	AMOUNT DESIGNATED
Alabama	Gasoline	Entire Amount
Arizona	Gasoline	Only a Specified Amount
	Sales	Only a Specified Amount
	Luxury	Only a Specified Amount
Colorado	Gasoline	Only a Specified Amount
	Sales	Only a Specified Amount
Delaware	Income (1 county)	Entire Amount
Idaho	Sales	Only a Specified Amount
Illinois	Sales	Only a Specified Amount
Indiana	Property (township)	Entire Amount
Iowa	Income	Only a Specified Amount
	Corporation	Only a Specified Amount
	Sales	Only a Specified Amount
Kansas	Property (county)	Entire Amount
Maryland	Property (Baltimore)	Only a Specified Amount
Montana	Liquor	Only a Specified Amount
	Inheritance	Only a Specified Amount
Nebraska	Gasoline	Only a Specified Amount
	Liquor	Only a Specified Amount
	Inheritance	Entire Amount
New Mexico	Liquor	Only a Specified Amount
	Corporation	Entire Amount
North Dakota	Sales	Only a Specified Amount
Oklahoma	Property (county)	Entire Amount
Oregon	Liquor	Only a Specified Amount
Pennsylvania	Liquor	Only a Specified Amount
	Motor License	Only a Specified Amount
	Fuel	Only a Specified Amount
	Stores	Only a Specified Amount
South Dakota	Sales	Only a Specified Amount
	Store License	Only a Specified Amount
	Liquor	Entire Amount
	Beer and Wine	Only a Specified Amount
Wisconsin	Income	Entire Amount
	Utility	Entire Amount
	Dividends	Entire Amount
	Transfers	Entire Amount
Wyoming	Sales	Only a Specified Amount

<sup>1</sup> *Digest of State Legislation for the Financing of Emergency Relief, FERA, 1935.*

services. Those who advocate assigning taxes for particular welfare service believe that the service is more certain of adequate funds when special taxes are levied for it and can be used for no other purpose. The welfare agency which receives its funds in this way must, of course, account for the funds used. If a definite amount of money is appropriated for the service, no more than that can be spent without further authorization, but open-end appropriations are sometimes made for welfare services, especially public assistance. The legislature may appropriate all the money in a fund, which is not otherwise appropriated, to a welfare service; that permits sufficient flexibility to meet emergencies. When all or a part of the revenue raised by a tax is assigned to public welfare services, full advantage of the tax can be taken only when the appropriation provides for the use of all such funds as are received from the tax; that is, it requires an open-end appropriation.

**Kinds of Assigned Taxes.** Several kinds of taxes have been assigned for welfare purposes. They have been assigned to general relief or other public assistance more often than to other types of public welfare services. Designation of all or a part of some tax for general relief became generally prevalent during the first half of the 1930's. Table 37 gives a fairly complete picture of this situation in 1935. The maximum amount to be used from most of the taxes is specified, but in twelve instances the entire amount raised by the assigned tax could be used for relief purposes.

Since the foregoing digest was made by the Federal Emergency Relief Administration, the taxes in the states have changed many times. Each session of state legislatures makes some changes. No up-to-date compilation of this information is available, but Lowe states that in 1938, "Liquor and beverage taxes are applied in about one-fourth of the States to finance general relief, old age assistance, blind assistance, or aid to dependent children. Sales taxes serve the same purpose in about 10 States. Since, for the majority of local governmental units, property taxes are the only source of revenue this type of tax is generally used where the law requires local contribution."<sup>1</sup> It has been customary in all states to assign the gasoline tax for the highway fund, but in a few states a portion of the revenue from this tax has been designated for public assistance.

**Limitations of the Assigned Tax.** The practice of designating a particular tax or some portion of it for public welfare purposes

<sup>1</sup> Robert C. Lowe, *State Public Welfare Legislation*, 1939, p. 31.

has distinct limitations. In times of depression the revenue from such taxes is likely to be insufficient, while in times of prosperity it may be larger than is needed for existing plans. When the revenue is short of the requirements and an open-end appropriation has been made, resort may be had to borrowing, provided the governmental unit has the power to borrow and has not already reached the limit of its borrowing power. But if the appropriation is so stated that it is equal to the revenue from the assigned taxes, retrenchment in the welfare services is the only recourse, and suffering probably follows. On the other hand, when assigned taxes yield more revenue than was anticipated and the amount of the appropriation is indefinite, the welfare authorities may be encouraged to expand the services imprudently or to spend money wastefully. Neither inadequate funds nor a lax use of funds is desirable. From the viewpoint of both adequacy and economy appropriations from general revenues for welfare purposes are, unless in exceptional situations, probably to be preferred to appropriations of assigned taxes.

It may be thought that in designating the revenues from payroll and wage taxes for unemployment compensation and old-age and survivors insurance the federal government and the states have entered upon a gigantic program of financing the public social services with assigned funds. That would be an incorrect conclusion, because the benefits from social insurance are related to the amount of anticipated contributions, are based upon more or less dependable actuarial estimates, and are strictly limited in amount and duration in the case of any individual. Much more is known about the number of persons who may establish eligibility for social insurance benefits in a given year than about the number of persons who may need public assistance, case-work services, or institutional care.

#### FUNDS FOR TYPES OF SERVICES

The sources of funds for different types of public welfare services vary considerably. These sources include taxes levied by a particular unit of government, grants-in-aid from other levels of government, fees for services, and profits from the sale of commodities. Exact data on these sources are not available, but typical illustrations may be given.



**Public Assistance.** General relief is now financed out of state and local funds, while other forms of public assistance are paid for out of federal, state, and local funds. We have already seen how various are the taxes which have been levied to pay the cost of public assistance.<sup>1</sup> In addition to the assigned taxes, appropriations are made from general revenues of federal, state, and local governments, and these revenues in turn are derived from a number of different taxes.

TABLE 38

LEVELS OF GOVERNMENT MEETING PUBLIC-ASSISTANCE COSTS, BY TYPE OF ASSISTANCE AND NUMBER OF STATES AND TERRITORIES, AT END OF 1948<sup>2</sup>

PARTICIPATING LEVELS OF GOVERNMENT	TYPE OF ASSISTANCE			
	General Relief	Old-Age Assistance	Blind Assistance	Aid to Dependent Children
Total	51	51	50	51
Federal, State,* and Local	0	21	16	28
State* and Local	31	0	1	0
Federal and State*	0	30	31	22
State* Only	5	0	2	0
Local Only	15	0	0	1

\* Really State or Territorial.

Table 38 indicates the levels of government which were participating in the payment of the cost of public assistance at the end of 1938. The federal government does not provide grants-in-aid to the states for general relief, but it provides surplus commodities to agencies administering general relief and gives some relief through its own agencies, such as the Farm Security Administration.

**Other Child Welfare.** Child-welfare work, except aid to dependent children in their own homes, is financed mainly out of funds raised by state and local governments, though some federal money is obtained for services authorized by Title V of the Social Security Act. An exception to this practice is the District of Columbia, where funds are obtained mainly by Congressional appropriation. The child welfare services—except aid to dependent children—include boarding-home care, institutional care, the special services

<sup>1</sup> *Supra*, pp. 403-405.

<sup>2</sup> *Recommendations for Social Security Obligation*. Senate Document No. 208, 80th Congress, 1949, pp. 124-127.

authorized by Title V of the Social Security Act, and certain other minor services. Boarding-home care is usually paid for by the county of which the child is a resident; the amount of state financial participation is small in most states. More than half of the children in boarding homes were supported wholly or in part by funds supplied by individuals; the percentage in 1933 was 56.8.<sup>1</sup> Hence, payment for care by persons having legal obligations to support the children or by persons with a friendly interest in the children is an important source of revenue for this kind of service. It is safe to say that the source of public funds for this service is usually the general property tax. The funds for support of the child welfare services authorized by Title V of the Social Security Act are provided partly by the federal government and partly by the states. The proportions are not fixed but may be adjusted on the basis of need in areas described as "predominantly rural and other areas of special need" or some similar phrase.

Funds for the care of children in institutions are derived mainly from public sources. However, it should be noted that of the 140,352 children in institutions for dependent children in 1933 individuals made some contribution to the support of 25.9 per cent of them.<sup>2</sup> Table 39 shows the governmental levels which jointly

TABLE 39

NUMBERS OF STATES IN WHICH INSTITUTIONS FOR DEPENDENT CHILDREN ARE SUPPORTED BY PUBLIC FUNDS, BY GOVERNING AUTHORITY FOR THE INSTITUTIONS, IN 1938<sup>3</sup>

SOURCES OF FUNDS	GOVERNING AUTHORITY FOR INSTITUTIONS		
	State	Local	Private
Total	30	29	50
State and Local	10	5	33
State	20	0	3
Local	0	24	14

or alone finance children's institutions in the states and territories. The prevailing practice is for the state to support its own institutions, the local government to support its own institutions, and for

<sup>1</sup> *Children under Institutional Care and in Foster Homes*, U. S. Bureau of the Census, 1935, p. 60.

<sup>2</sup> *Ibid.*

<sup>3</sup> Lowe, *op. cit.*, p. 176.

both state and local governments to contribute some support for public wards in private institutions.

**State Institutions.** The sources of income of state institutions for the insane, feeble-minded, epileptic, sick, delinquent, and criminal are in general similar in the various states, but they differ considerably in detail. Some institutions collect large sums from the counties from which their wards come. Farm and industrial production is an important source of income in certain states but has little importance in others. The amount of money collected from the wards or their families is often a large item in the income account. Data are not available for presenting a complete national picture of the sources of income of state institutions. The Bureau of the Census reports expenditures for state institutions for mental patients, but the report does not indicate the sources of the funds from which expenditures were made. However, illustrations of institutional sources may be given, and the reports of the Ohio Department of Public Welfare and the Indiana Department of Public Welfare will be used for this purpose.

TABLE 40  
SOURCES OF FUNDS OF OHIO STATE INSTITUTIONS, YEAR ENDING  
DECEMBER 31, 1945<sup>1</sup>

SOURCE OF FUNDS	AMOUNT	PER CENT
Total	\$13,156,888.60	100.0
State Appropriations	8,830,519.75	67.1
Other Sources:		
Agricultural Production	2,797,437.89	21.3
Manufacturing, Net Profit	149,326.79	1.1
Collection for Patients' Support	1,379,604.17	10.5

Two tables will suffice to give some idea of the sources. Table 40 presents the major sources of funds in Ohio. The returns from agricultural production were particularly impressive in 1945.<sup>2</sup> About a third of the cost of operating these institutions in Ohio is

<sup>1</sup> *Twenty-Fourth Annual Report of the Department of Public Welfare, Year Ended December 31, 1945*, pp. 138-A, 201, 202, and 212.

<sup>2</sup> This figure is not comparable with the Indiana figure in Table 41, because the 1938 Indiana report showed sales for buyers outside the institutions whereas the Ohio figures include total production.

derived from sources other than appropriations, but chiefly from hospital agricultural production. The value of the products of manufacture appears to be negligible, but it is possible that much more was produced and consumed on the premises of the institutions but not included in the report. Table 41 presents similar data for

TABLE 41  
SOURCES OF FUNDS OF INDIANA STATE INSTITUTIONS FOR  
THE YEAR ENDING JUNE 30, 1938<sup>1</sup>

SOURCE OF FUNDS	AMOUNT OF FUNDS	PER CENT
Total	\$8,190,019.68	100.0
State Appropriations	7,572,342.80	92.4
Other Sources:		
Farm Sales	1,072.64	
Sundry Sales	8,496.58	0.1
Individual Support	587,762.70	7.2
Insurance	81.35	
Other	20,263.61	0.3

Indiana. Payments for the care of patients were relatively greater in Ohio in 1945 than they were in Indiana in 1938, and the part of the Indiana budget derived from agriculture is slight. Sales of products are of negligible importance, but the amount reported is not fully representative of the volume of production. For example, automobile license plates are manufactured for the Division of Motor Vehicles by the State Prison, and large quantities of other commodities are turned out by other institutions for state use purposes. The production of the State Prison alone in that fiscal year was valued at \$544,560.00. At the State Reformatory the value of production was \$445,951.90 and at the State Penal Farm the value of products was reported to be \$347,335.21.<sup>2</sup> Farm products are not given valuations but are consumed largely by the producing institution. The volume of these products is indicated by the following figures for the fiscal year 1938: 927,039 pounds of hogs; 221,554 pounds of beef; 5,987,107 pounds of milk; 107,607 bushels of corn; 37,665 bushels of wheat; 1,028,520 pounds of sweet corn;

<sup>1</sup> *Annual Report of the Department of Public Welfare and of the Division of Supervision of State Institutions*, 1938, data taken from pp. 38, 39.

<sup>2</sup> *Annual Report (op. cit.)*, 1938, p. 70.

919,453 pounds of cabbage; etc., etc.<sup>1</sup> The value of these food and feed crops is great and represents an important source of real income to the institutions.

**Other Welfare Activities.** There are other welfare activities with special sources of income, but the funds come from one or another level of government through tax levies, fees, payments for cost of services, and earnings. The Works Projects Administration is a federal program, but "On the average, local communities are spending \$1 to every \$4 spent by the WPA."<sup>2</sup> In the National Youth Administration a somewhat similar division of costs is made: "On the student aid program all nonlabor costs are borne by the participating institution. On work projects sponsors have borne nearly 12 per cent of total costs (in recent months approximately 20 per cent), largely in supplying supervisory services and meeting various nonlabor expenses."<sup>3</sup> If the project is sponsored by a state agency or by a state school or college, the local funds are derived from the same sources as those which supply the agency, school, or college, and the federal funds come from an appropriation out of the general fund of the United States Treasury. The Farm Security Administration apparently finances its entire program out of federal funds.<sup>4</sup> The public schools in large cities engage in some welfare work; the costs of this service are paid partly out of regular school tax levies and partly in the case of "school relief" (books, shoes, lunches, etc.) often by the local poor-law authorities. But these miscellaneous welfare activities present no problems in raising revenue which have not already been mentioned in connection with the more common public welfare services.

### BORROWING

The power to borrow, when it is given to a unit of government by the appropriate constitution or by legislative action, permits a governmental unit to meet a financial emergency or to spread the payment of an unusual expenditure over a period of time. A building lasts many years, and selling bonds to pay the immediate cost is usually sound, provided the governmental unit is not already

<sup>1</sup> *Ibid.*, pp. 74-76.

<sup>2</sup> *Inventory, an Appraisal of Results of the Works Progress Administration*, 1938, p. 8.

<sup>3</sup> *Report on the National Youth Administration, June 26, 1935, to June 30, 1938*, WPA, 1938, p. 1.

<sup>4</sup> *Report of the Administrator of the Farm Security Administration*, 1938. This gives the impression that no local funds are used.

burdened with debt. But borrowing to pay the cost of current operation of services may be more dubious. If the shortage of funds is due to an emergency which could have been anticipated, the need to borrow reflects poor budgeting, wasteful administration, or political conflict between the legislature and the executive. There are occasions when borrowing is necessary, and the executive branch should possess the power to borrow when such occasions arise. Temporary financing in anticipation of tax receipts later in the year may be necessary because the dates on which taxes are collected do not fall at the right time within the fiscal year. Pfiffner recognizes this as one purpose which justifies borrowing for current operations. He recognizes only one other: "The other is for emergencies, unforeseen at the time of the tax levy, or of such great magnitude as to make it inadvisable to finance them in a single fiscal year. The latter group includes welfare work made necessary by such catastrophes as earthquakes, tidal waves, drouths, famines, or excessive unemployment."<sup>1</sup>

There is general acceptance of this principle, but difficulty arises in deciding when a specific condition is properly to be defined as an emergency. More relief in the recent depression has been financed by borrowing than by the levy of taxes. The depression spanned the entire decade of the 1930's. One may question the wisdom of continuing to regard all the problems which have been raised by it as aspects of an emergency. "The doctrine that governmental expenditures should be financed in periods of depression by loans in order to build up the volume of purchasing power," says Roy Blough, "has also been urged by advocates of borrowing for public relief. At best, however, borrowing is a necessary emergency stop-gap measure, unavailable for any long-run program. Even when loans are incurred to meet what are apparently emergency needs, the practice of borrowing presents the danger that a permanent or long-time problem may not be recognized as such and that the mortgaging of future revenue through loans may be continued long after financing through taxation should have been instituted."<sup>2</sup>

After resort has been had to borrowing, the effort to balance the budget, which requires levying taxes sufficient to pay current opera-

<sup>1</sup> John M. Pfiffner, *Public Administration*, p. 358. Copyright, 1935, The Ronald Press Company.

<sup>2</sup> "Financing Public Social Work," *Social Work Year Book 1939*, p. 154.

tions plus the payment of principal and interest on the debt, is a painful political act. Most members of legislative bodies are elected every two years, and most of them hope to be re-elected. To impose a heavy tax to pay debts when the taxpayer is not aware of receiving any present benefit from the extraordinary tax, is to many legislators like signing one's own death warrant. Consequently, they shy from such action, especially in an election year, and the public debt continues to exist at too high a level, or to grow. State constitutions and statutes usually limit the borrowing power of states (some constitutions prohibit the state government from selling bonds to pay current expenses) and of local governmental units, and borrowing stops when the debt limit is reached. The federal government has no constitutional limit on its borrowing power. It can borrow as long as it can sell its securities or issue them to its own trust funds. The borrowing power is probably indispensable for welfare, as well as some other, purposes, but the wise use of it taxes the intelligence and courage of governing bodies.

**Short-Term Borrowing.** There are a number of ways by which an empty treasury or an exhausted appropriation may be temporarily circumvented without resort to the sale of bonds. Some of them place a burden on public employees or on creditors. Public employees may be paid not with money, but with warrants. A warrant is an order on the treasury of some governmental unit to pay a sum of money on a fixed date or at some unstated time. If a welfare department has exhausted its appropriation or the treasury is empty, wages and salaries may be paid with warrants. The employees may be able to obtain cash on them at banks at a discount, or they may hold them, if they can live without the money, until the date of payment arrives or money comes into the treasury. Tax-anticipation warrants are of the same general character, except that they are sold by the governmental unit to raise money. Another way of deferring payment of honest debts of a government agency is to postpone the payment of creditors from whom supplies of various kinds have been obtained. Governments rarely, if ever, pay carrying charges on such accounts payable. If the amount owed is large, it may be a burden on the creditor to wait for his money. If the same governmental unit acquires a reputation for tardy payment of its bills, the creditors have a way of discounting the loss of the use of their money: when they bid on a contract to provide supplies or services, they add an item into the prices at

some point or points to cover the cost of carrying charges. Then the taxpayer is the loser, because the governmental unit has to pay unnecessarily high prices for supplies and services.

The only sound and fair way to meet a temporary deficit is to borrow at the bank. Welfare agencies which have a record for efficient administration can, through the proper fiscal agency, secure short-time loans at a bank at low rates of interest—that is, they can if their credit is otherwise good. The need for a loan may be for a month, two months, or three months, but if taxes have been levied the funds needed will be available in due time, and the banker knows when that date is.

**Bonds.** Large loans for longer periods of time are obtained by the sale of bonds. Short-term bonds run for five years or less; long-term bonds mature after five years. The duration of the bond is affected by other things than the time within which the governmental unit anticipates ability to repay the loan. A short-term bond bearing a relatively low rate of interest can be sold, if the credit of the borrowing agency is good—and the credit of the borrower is of course the credit of the township, city, county, or state of which the agency is a part. If the credit of the governmental unit is poor, the interest rate will have to be higher. Because of the difficulty of accurately estimating economic conditions, and the credit of government in particular, over a long period of time, the interest rate on long-term bonds must be higher. The credit of the borrower again affects the rate at which these bonds will be taken by banks or the public.

An entire bond issue may fall due on a single date, or the dates of maturity may be staggered. The first type of bond necessitates the creation of a sinking fund so that funds may be accumulated over the years to retire the bonds when they mature. The other type, which is more highly regarded, is serial bonds. They mature at different dates, and small appropriations out of current taxes suffice to retire those which mature in any particular year. Experience has shown that sinking funds may be either neglected or utilized for ulterior purposes. The serial bond obviates this risk.

**Indebtedness.** In the fiscal year ending in 1937 the indebtedness of the forty-eight states amounted to \$3,275,677,000, or \$25.53 per capita.<sup>1</sup> Most of this amount was represented by bonds, and

<sup>1</sup> *Financial Statistics of the States 1937, Summary Bulletin*, U. S. Bureau of the Census, 1939, p. 4.



somewhat over two thirds of it was funded. On June 30 of the same year the debt of the federal government amounted to \$35,-846,000,000.<sup>1</sup> Since that time the federal debt had increased up to the end of the year 1939 by about seven billions. A large proportion of both the state and the federal debt is attributable to the financing of relief. The borrowings of the federal government have exceeded the amounts required for such relief agencies as the WPA, the NYA, the CCC, and the FSA, and it is a fair guess that the operations of these agencies have been financed almost entirely out of borrowed funds. An estimate made for the Great Lakes Institute, Geneva, Wisconsin, in 1936 indicated that in the fiscal year 1934-1935 about 39.4 per cent of the total funds used for relief by state and local governments was borrowed.<sup>2</sup> The probability that this figure is reasonably reliable is increased when it is recalled that for many years the expenditures for the public schools took the largest share of state and local revenues, whereas in the fiscal year 1936-1937 the schools accounted for 31.6 per cent of costs of operation and maintenance, while hospitals, institutions for the handicapped, charities, and corrections accounted for about 33 per cent of the total. The public welfare budget in the states and localities in that year exceeded the public school budget.<sup>3</sup>

### QUESTIONS

1. What kinds of taxes are levied in your state?
2. What kinds of taxes are levied by your county?
3. What in your opinion are the best kinds of taxes with which to finance public welfare services in your state and county?
4. Discuss the pros and cons of taxes assigned for public welfare purposes.
5. What sources of funds for child-welfare purposes are available in your state?
6. Examine the annual report of a state hospital or prison in your state and determine the proportion of its cost of maintenance and operation which is, or may be, paid out of farm and industrial production.
7. What forms of short-time credit have been used by your county or state department of public welfare in the recent past?
8. To what extent were public welfare services during the 1930's financed in your county by borrowing?

<sup>1</sup> *Social Security Bulletin*, Vol. I, December, 1938, p. 70.

<sup>2</sup> "Sources of Revenue for Public Welfare," *Tentative Report*, sec. 1, 1936. Unpublished.

<sup>3</sup> *Financial Statistics of States 1937 (op. cit.)*, pp. 3, 4.

## CHAPTER XXII

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### THE BUDGET

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The budget of a welfare department is the financial blueprint of the department for a fiscal period. The city, county, state, and federal governments may each have a consolidated budget for all the agencies of the governmental unit, but we are concerned here only with the budget of a welfare agency as a part of the larger governmental organization. Every welfare department presents a request for appropriations to a legislative body, either through a central budget agency or directly. It is necessary to show what is to be done with the money, if appropriated, and this requires breaking the total request down into items so that the legislature can see more definitely why the amount of money requested is needed. This document which contains the itemization of the request for funds is a budget; it may be loosely prepared, or it may be technically correct in every respect, but in either case it is a budget for legislative purposes. The department may need a more detailed budget as a means of financial control within the agency. In the states and the large cities there is a growing tendency to create a central budget agency which specifies the form in which a department shall present its request for appropriations, and these forms may require the greatest detail possible. County governments have been much slower to develop budget machinery, perhaps because they rarely have a chief executive officer, but county agencies make budgets for their own use. A budget has three important functions in departmental administration: (1) it is a financial plan on the basis of which the objectives of the agency are to be achieved; (2) it is the means of securing funds from a legislative body; and (3) it is a means for the control of financial transactions.

The preparation of a budget is a step in long-time planning of welfare activities. The immediate request for funds may contemplate only the next fiscal year or the next biennium, but the board

and the executive, if they are fully aware of their responsibilities, will be looking several years ahead. They must base present budgets upon a knowledge of secular trend and probable cyclical fluctuations in need for funds. This is obviously important in the consideration of new buildings. If the number of admissions to hospitals for the insane is steadily rising, provision has to be made for accommodating a larger number of patients year by year, and the expansion of plant facilities is easier to finance when carried out gradually and somewhat in proportion to the rate of increase in patient population. The same problem arises in connection with other state and county institutions. But long-range planning is necessary with respect to all other welfare services, albeit less obviously so. Welfare functions may remain the same over long periods of time, but the development of new forms of care and treatment leads to the abandonment of activities. Almshouses as we have known them in the last few decades are probably on the way to extinction; for public assistance programs are taking care of many people who a few years ago would have come to the almshouse, and there is a tendency to convert the almshouses which remain into infirmaries with emphasis upon medical treatment. Hence, types and costs of personnel will change. That alters the items of the budget. The farther ahead the board and the executive can see, the more satisfactory a present budget is likely to be.

### MAKING THE BUDGET

Budgets are normally on a fiscal-year basis. The termini of the fiscal years are not the same in all states, but the most common dates are July 1 of one year to June 30 of the next year. The department of public welfare keeps the records of expenditure by type of service and by type of expenditure in each service. It is on the basis of these records for previous years, supplemented by estimates of anticipated changes in financial requirements, that the budget for the ensuing year is made. The county board of commissioners, or some central budget agency in the city or state government, usually prescribes the form in which the budget of each department shall be presented for review and submission to the legislative body. If grants-in-aid are paid by the state or by the federal government, the government making the grant has power to prescribe certain accounting records. In some instances the state government has

authority to require financial reports from all units of government within the state, and hence to determine the form in which records shall be kept, in order to assure itself that data will be available for the reports. Such accounting records provide the data for making the budget, although any unit of government may keep additional records if it chooses to do so.

**Analysis of Expenditures.** Assembling the data for expenditures for the current year, and perhaps other years, is the first step toward making the budget. Since the budget will have to conform to some predetermined list of major and subsidiary items, the data should be assembled according to these items. In order to answer specific questions which the public welfare executive thinks are important and preliminary to fixing the amount of his request for appropriations, more detailed information may be needed for purposes of study than are necessary for submission of a budget. Under any circumstances, however, financial data will be distributed by type of service, such as old-age assistance or institutions for the insane, and by type of expenditure, such as personnel or capital outlay. The first kind of distribution shows the aggregate costs of each service and the relative importance of the services in terms of expenditure. The second kind of distribution, which may be presented in detail under the heading of each service, reveals the total and relative cost of the various expense factors in the administration of the agency. Unit costs <sup>1</sup> may be determined for each type of classification.

Expenditure classifications are different in various states, and they may be different in various counties of a state. For purposes of illustration the classification of expenditures for the state of Indiana in 1937 will be used first, and then a somewhat different classification recommended for the state of Michigan in 1938 will be presented in comparison. The outline of the budget chart which was used by all Indiana state departments and agencies, including the Department of Public Welfare, follows: <sup>2</sup>

I. Operating Expense:

A. Personal service:

1. Salaries
2. Wages
3. Compensation awards
4. Special payments

<sup>1</sup> See the discussion in Chapter XXIII.

<sup>2</sup> *Budget Law, Budget Classifications and Definitions*, 1937, p. 16.

## B. Contractual service:

1. General repairs
2. Motor vehicle repairs
3. Light, heat, power, and water
4. Traveling
5. Transportation
6. Communication
7. Printing and other office supplies
8. All other

B. Supplies <sup>1</sup>

9. Food
10. Forage and veterinary
11. Fuel
12. Office
13. Medical and laboratory work
14. Laundry, cleaning, and disinfecting
15. Refrigeration
16. Educational and recreational
17. Agricultural and botanical
18. Motor vehicle
19. Power plant
20. Wearing apparel
21. Household
22. All other

## C. Materials:

1. Building
2. Plumbing
3. Electrical
4. Painting
5. Motor vehicle
6. Equipment
7. Highway
8. Sewer and water
9. All other

## II. Capital Outlays:

## D. Equipment:

1. Office
2. Household
3. Medical and laboratory
4. Livestock
5. Motorless vehicles

<sup>1</sup> This repetition of the symbol B is in the official diagram and was done in order to emphasize the difference between "contractual service" and "supplies."

6. Motor vehicles
7. Educational and recreational
8. Tools and machinery
9. All other
- E. Lands and structures:
  1. Land
  2. Structures
  3. Non-structural improvements
- III. Fixed Charges:
  - F. Fixed charges and contributions:
    1. Rent
    2. Insurance
    3. Association dues and contributions
    4. Surety bond premiums (institutions only)
    5. All other

These budget classifications were sent to all state departments and agencies and were accompanied by a list of definitions of the items. The budget chart asks for information in terms of the type of expenditure. The Indiana Department of Public Welfare has several divisions and staff units. In order to estimate the needs for each of these, accounts are set up for each division or staff unit in accordance with the budget items. The state institutions are not organically related to the department except for certain limited supervision but are under the Division of Supervision of State Institutions which is in the Executive Department. Each of the institutions maintains the same kind of records as the Department of Public Welfare. The biennial budget—which goes through the State Board of Accounts to the governor—for the department and the division contains the estimated requirements of funds for each year of the ensuing biennium. The Budget Committee of the General Assembly, composed of two members of the Senate and two members of the House, examines the budget requests before the report goes to the governor. Hearings are held on the budget which is presented by the department or by an institution, after which the committee recommends acceptance of the budget as presented or suggests changes as it sees fit. The budget then goes to the governor, who in turn may make changes before he submits it to the General Assembly.<sup>1</sup>

At the request of Governor Frank Murphy the Public Adminis-

<sup>1</sup> *Indiana Acts*, 1925, ch. 29, secs. 5, 6.

tration Service of Chicago made a survey of the financial administration of the Michigan state government in 1938. This report dealt with the whole range of financial administration, including the preparation and management of the budget, and was accepted by Governor Murphy as the basis of some minor legislation but mainly for an executive reorganization of financial administration. The classification of expenditures is similar in some respects to that of the older Indiana budget classification and is given here for comparative purposes: <sup>1</sup>

I. Personal Service:

Compensation for personal services rendered either by employees of the State or by consultants employed temporarily.

100 Salaries and wages <sup>2</sup>

150 Professional and consulting service

II. Supplies, Materials, and Contractual Services:

Supplies, materials, and parts—commodities consumed within a comparatively short period of time or converted when used or forming a minor part of equipment.

202 Office supplies

204 Food

206 Medical and laboratory supplies

208 Clothing and dry goods

210 Educational and recreational supplies

212 Agricultural and horticultural supplies

214 Laundry, kitchen, and other household supplies

216 Fuels

218 Motor vehicle supplies

220 Building materials

222 Highway materials

224 Manufacturing materials

226 Small tools and implements

228 Repair and construction parts

240 Supplies and materials not otherwise classified

Contractual services—all payments made for services rendered to the State under expressed or implied contract; it includes labor together with materials furnished in the performance of such service.

252 Postage

254 Telephone and telegraph

256 Freight, express, and drayage

<sup>1</sup> *Report on Financial Administration in the Michigan State Government*, pp. 479-482. Chicago: Public Administration Service, 1938.

<sup>2</sup> The numbers preceding the subsidiary classifications are account numbers.

- 258 Traveling expense
- 260 Support of State dependents and delinquents
- 262 Transportation of State dependents and delinquents
- 264 Printing, duplicating, and advertising
- 266 Light, heat, power, and water
- 268 Repairs to motor vehicles
- 270 Repairs to other equipment
- 272 Repairs to buildings and other structures
- 274 Rentals
- 276 Insurance
- 290 Contractual services not otherwise classified

### III. Outlay for Equipment:

All articles which can be used repeatedly without material changing, or an appreciable impairment of their physical condition, and which have an extended period of service.

- 305 Office equipment
- 310 Motor vehicle equipment
- 315 Household equipment
- 320 Medical and laboratory equipment
- 325 Educational and recreational equipment
- 330 Building and plant equipment
- 335 Construction and engineering equipment
- 340 Industrial equipment
- 345 Livestock
- 350 Farm equipment
- 390 Equipment not otherwise classified

### IV. Outlay for Land, Structures, and Improvements:

All expenditures made for the purchase of land, the construction of new buildings and other structures, and for permanent improvements, additions, and major repairs to the same.

- 420 Lands
- 440 Buildings and structures
- 460 Non-structural improvements

### V. Fixed Charges and Miscellaneous Expenditures:

Other current expenses and all expenditures made to meet fixed charges against the State, or in aid of State agencies or individuals.

- 505 Bond payments
- 510 Interest on bonds
- 515 Pensions and claims
- 520 Public assistance grants
- 525 Grants and subsidies (other than public assistance)
- 530 Refunds and other non-expense items
- 535 Expenses and fixed charges not otherwise classified



The foregoing list contains the budgetary items in use by all state departments and agencies of Michigan. For purposes of accounting records each major governmental function, such as education or social welfare, is broken down into its essential administrative units, and accounts are kept under the main budget headings for each unit. It is a simple matter, then, to obtain totals of expenditures for any service from which unit costs can be computed and the budget estimates for the next fiscal period made.<sup>1</sup> For example, social welfare is the third major function listed, and the first subsidiary classification under this heading is the Department of Public Assistance, which has the following expenditure classifications:

Department of Public Assistance:

Commission:

- 1501 Personal service
- 1502 Supplies, materials, and contractual services
- 1503 Equipment

General administration:

- 1511 Personal service
- 1512 Supplies, materials, and contractual services
- 1513 Equipment

Bureau of Public Assistance:

Three accounts, like the foregoing

Bureau of Accounts and Records:

Three accounts, like the foregoing

Bureau of Research and Statistics:

Three accounts, like the foregoing

Repatriation:

- 1550 Repatriation

Public aid and relief:

- 1565 General public relief
- 1575 Emergency welfare relief
- 1585 Aid to dependent children
- 1595 Aid to blind
- 1605 Old-age assistance

Thus the budget items and the accounts under each provide a distribution of data throughout the year which is in fact a current analysis of expenditures, and this may be carried further for any special purpose.

<sup>1</sup> *Report on Financial Administration in the Michigan State Government (op. cit.)*, pp. 147-177.

**Analysis of Sources of Income.** Expenditures constitute only one side of the balance sheet. The other is concerned with income. The departmental income is derived from appropriations out of tax levies, fees for services, payments of cost of maintenance by patients or other wards, and farm and industrial production. The request for funds which goes to the legislative body can be made accurate only if all sources of income are taken into consideration. Much of the farm produce and some of the industrial products are consumed by the institution or agency producing them. Large sums of money are received by institutions from estates or relatives of wards as payment for maintenance of the wards. Some fees for services are collected. May such income be used by the agency to which it comes, or must the value of production be reported to the central budget agency and included in the request for funds as an offset against the amount to be appropriated? Are payments for maintenance and fees retained by the agency collecting them? If so, do they constitute an offset against appropriations needed? The answers to such questions as these determine the kind of an analysis of income which is required in order to present a budget request.

Moneys collected by a welfare agency may be assumed to belong to the city, county, or state and not to the agency. In that case they are deposited with the treasury in the general fund or some special fund determined by law. Such receipts simply reimburse the treasury for a part of the cost of the services rendered. Cash received from the sale of farm and industrial products could be handled in the same way. This is unquestionably the sound way to handle cash receipts by public welfare agencies, if strict budgetary control is to be achieved. Where the law requires the deposit of such receipts with the treasurer of the city, county, or state, the public welfare agency usually makes deposits monthly. For example, in the fiscal year ending June 30, 1938, the Logansport State Hospital, Logansport, Indiana, deposited with the state treasurer \$17,006.24 from the sale of farm products and \$16,329.91 from payments for patients' maintenance.<sup>1</sup> Earnings of general departments of townships, school districts, cities, and counties in Oklahoma in the fiscal year 1936-1937 amounted to \$3,290,543; earnings of specific departments are not given in the report, but some portion of this sum is probably attributable to welfare activities.<sup>2</sup> Thus cash received by local and

<sup>1</sup> *Annual Report*, Logansport State Hospital, 1938, pp. 77, 78.

<sup>2</sup> *Financial Statistics of Local Governments in Oklahoma for the Fiscal Year Ending June 30, 1937*, Bul. No. 33, Oklahoma Tax Commission, 1937, p. 57.

state agencies amounts in the aggregate to a large sum, and it is important that strict accounting be made of such receipts.

The problem of taking into account the value of farm and industrial products which have been used by the producing agency is different and more difficult. Only approximate values can be assigned to these products, yet their total value is large; for the fiscal year ending during 1945, the estimated value of the agricultural products raised by the state institutions of Ohio was \$2,797,438.<sup>1</sup> Most of these products were consumed at the institutions. Consequently, the amount of food which had to be purchased in the open market was reduced by that amount, and it was not necessary for the Ohio Department of Public Welfare to ask for quite such large appropriations as would otherwise have been required to maintain the institutions. Hence it is not necessary for the value of these products to appear in the statement of earnings for budgetary purposes, but they affect the amount of the budget request. In making the budget for the next fiscal year some estimate of probable production is required in order to determine the amount of appropriations needed, and there might be other reasons for knowing the appropriate market value of the products consumed.

#### MANAGEMENT OF THE BUDGET

Thus far only the legislative aspects of budgeting have been discussed, but the administrative use of a budget is of equal importance. Management of the budget is the principal means of financial control which the department and the central budget agency have. The proper distribution of funds throughout the year is an elementary necessity for conducting a twelve-month program. The seasonal variations in welfare expenditures are well known, but individual agencies frequently encounter difficulties toward the end of their fiscal year because they failed to budget their funds on the basis of adequate analysis of past experience.

**Monthly Estimates.** When appropriations are made in a small number of large grants, such, for example, as sums for personal service, supplies, materials, contractual services, equipment, capital outlays, and fixed charges, the problem of distributing resources for the twelve-month period is relatively simple, provided that the central budget agency permits the sums appropriated for each of

<sup>1</sup> *Op. cit.*, p. 202.

these items to be used without further restrictions. The sums spent per month for each of this small number of items in previous years become a guide, or a sort of crude seasonal index number. Since the sums are relatively large in a state department or a large county department, estimates made from them are highly reliable. In certain public welfare services more employees are needed in the winter than in the summer. On the other hand, farm labor is needed more in the summer than in the winter. The amount of money needed for general relief rises in the winter months. Other budgetary items show seasonal fluctuations. Consequently, the department has to plan expenditures within the limits of the funds made available.

In some jurisdictions appropriations are made by "line items." That is, the law requires requests for appropriations to be made in great detail, and each item in the budget occupies one line. This request may reach only the central budgetary agency, where a consolidated budget is prepared, and appropriations may be made in terms of large expense items, but the original detail of the departmental budget with the supporting data is on file with the central budget agency, is in fact the administrative budget, and is the guide for approving vouchers. The appropriation of Cook County, Illinois, in 1939 is a good illustration of what this implies. In the resolution approving the appropriation bill the fourth and fifth sections are as follows:

"4. That the salaries or rates of compensation of all officers and employees of the County as hereinafter named, when not otherwise provided by law, shall be in accordance with the salaries and rates of compensation of the offices and places of employment as fixed in the resolution adopted by the Board of Commissioners prior to the adoption of the Annual Appropriation Bill, and shall not be changed during the year for which the appropriation is made.

"5. That wherever appropriations for salaries or wages of any office or place of employment are supported by a detailed schedule, all expenditures against such appropriations shall be made in accordance with such schedule, and no payroll item shall be approved by the Comptroller, or paid by the County Treasurer, for a sum exceeding the amount shown in said schedule."<sup>1</sup>

In this bill the monthly rate of salaries and the total amount for salaries for the Cook County Bureau of Public Welfare are indicated

<sup>1</sup> *Cook County Appropriation Bill, 1939, p. 13.*

not only for each civil service grade but also for the number of persons at each specific salary within the grade, and the number of persons for each of these salary classes is specified. Heads of departments, offices, and institutions are prohibited from "incurring any liability against any account in excess of the amount herein authorized for such account."<sup>1</sup> It is good practice to prohibit incurring liabilities in excess of an appropriation, but when the appropriation has been made line by line all administrative flexibility is eliminated. In such cases it is all the more necessary for the department to make careful estimates of monthly requirements in the greatest detail, and, of course, the smaller the item involved, the less reliable the estimate is likely to be.

**Central Office Control.** Where there is a central budget agency, considerable control is exercised by this office. If line-item budgets are required, the control may hamper efficient administration, but if the budget provides for a few large items, co-operative relations with the budget agency can assure a large measure of flexibility. Central control is highly desirable up to the point where it begins to restrict reasonable administrative discretion. Control is effected in various ways. The law may require the budget agency to make monthly or quarterly allotments to the department, which implies previous careful estimates of monthly requirements. Some laws specify that not more than one twelfth of the annual appropriation may be used in a single month, or, if more is used, then less than one twelfth must be used in future months. This is a good rule, provided that normal seasonal variations in needs are recognized and accumulations saved from previous monthly maximums may be used when they are needed. It is a fatal restriction in public welfare administration unless this can be done. Requisitions should be reviewed by the budget agency to make sure that funds are available for paying the bills and for the purpose of recording an encumbrance of the budget item involved. It has been the practice in the past in some jurisdictions to charge a budget account at the time the bill is paid. That may be a case of closing the barn door after the horse has been stolen, because the funds in that account may have been exhausted. If there is a review of requisitions and the account is charged at that time, overspending is not possible. There is often a comptroller who is responsible for making a pre-audit of expenditures; it is his duty to determine, before the expenditure has been

<sup>1</sup> *Ibid.*, p. 14, sec. 7.

made or an obligation incurred, whether or not the proposed expenditure is legal.

Further control is provided by central-purchasing laws. If there is a central-purchasing officer, it is his business to collect prices of goods and services which the governmental unit purchases and to know grades of goods. Presumably the purchasing officer knows more than any other person in the government about commodity prices and can advise the department executive at the time he makes his budget concerning probable costs of supplies in the ensuing year. This is an aid to accurate budget preparation. During the year he can give advice concerning the best purchase for the money. In a time of rising prices this may be very important, because the appropriation may not have taken into account changes in commodity prices. Thus, the purchasing officer exercises some control over the use of the budget, and his advice helps the executive to get the most for his money.

#### LIMITATIONS OF CONTROL

Central control of the budget, as has already been suggested, is not altogether an unmixed advantage. The legislature cannot anticipate a year or 18 months in advance how many pencils the department will need or exactly how many hours of common labor it may require. It is, therefore, desirable to have appropriations made in large blocks—and this is not writing a signed blank check for the executive to fill in at his discretion. Furthermore, if there is a central budget agency, additional control is exercised. Control of the transfer of funds from one account to another is important, but the possibility of transfer for good and sufficient reason is equally important. A check on ill-advised spending early in the year is likewise necessary, but a recognition of seasonal variations in need for funds is essential. Some middle ground between the dictation of a finance officer to the head of an operating agency and the untrammelled privilege of the agency to spend without restraint is in the interest of efficient public welfare administration. The finance officer, as Edouard C. Lindeman once remarked of experts in general, should “be on tap but not on top.”

After considering the problem of central budget control at length, Professor Leonard D. White summarizes his conclusions as follows:

“It seems clear that there are limits to the usefulness of fiscal supervision and control. Such supervision has overstepped the limits of its use-

fulness when it interferes substantially with the freedom of departments to carry out the programs imposed upon them by law. It has overstepped its usefulness when it takes the initiative in preparing department plans instead of surveying those submitted by the proper officials. It goes too far in attempting to substitute its judgment on technical questions for the judgment of the department. It operates to the detriment of sound administration when it impairs the sense of responsibility within the department for its work.

"The real value of fiscal control lies, first, in compelling reconsideration of and conference about doubtful items of expenditures. It enables the department to see clearly all the implications of a proposed line of conduct and brings to it informed business judgment of an office in touch with all departments of government. The usefulness of fiscal control consists, second, in furnishing an opportunity for the evaluation of different branches of administration in terms of their relative importance and in framing a financial program which gives precedence to the more pressing projects."<sup>1</sup>

### QUESTIONS

1. What is the purpose of a public welfare budget?
2. What is the classification of expenditures for public welfare used in your county?
3. What kind of central budget agency does your state have?
4. How does the public welfare budget in your state get to the legislature?
5. If there is a comptroller in your state, what are his duties?
6. How does your county welfare department manage its budget in order to make sure that the money lasts through the year?
7. What provision exists in your state for the purchase of supplies for the welfare agencies?
8. Discuss the proper degree of fiscal control which seems to you desirable (1) in your county and (2) in your state.

<sup>1</sup> From Leonard D. White, *Introduction to the Study of Public Administration*, 1939, p. 246. By permission of The Macmillan Company, publishers.

## CHAPTER XXIII

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### ACCOUNTING AND FINANCIAL STATISTICS

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Public welfare accounting is a special method of dealing with the financial transactions of an agency. It includes the recording, posting, summarizing, and interpreting of receipts and payments of money in connection with public welfare activities. Each level of government records with descriptive terms the amounts of money received and paid out. The original records are in the form of receipts, vouchers, and notices of appropriations. Expenditures are recorded in a journal or voucher register, and cash receipts in a cashbook, from which postings are made to the expense and income accounts in the ledger. The data contained in the ledger accounts may then be summarized in balance-sheet form. Interpretation may consist of a mere explanation of the accounting summaries, or it may be a discussion of financial data in relation to specific activities of the agency. "The accounting records are in the last analysis merely the records of human relationships and activities, expressed in financial terms."<sup>1</sup> These records of money transactions, which the social worker is prone to think of as dull and uninteresting in comparison with a case record, are an essential part of the records of a welfare agency, and the work of the agency cannot be interpreted adequately apart from them.

Accounting is a means of control in public welfare administration. It gives a systematic record of money received or available for use, and a corresponding record of disbursements. Public welfare agencies, such as institutions, have some income from sale of products, services, endowments, and capital assets, but for the most part their income consists of appropriations by a legislative body. Appropriations are usually itemized; it is rare for a legislative body to make a lump-sum appropriation for welfare services, although it was done by Congress several times during the depression. The

<sup>1</sup> *Hospital Accounting and Statistics*, American Hospital Association, 1936, p. 11.



items in the appropriation bill may or may not be transferable; they will be for personal services, rent, assistance, supplies, etc. The administrator must know at all times how much he has remaining in these several accounts. Otherwise he might overspend and find that before the end of the year some service had to be discontinued. He would be subject to penalties for incurring obligations in excess of the amount of the appropriation. Orderly use of the budget throughout the budget period is dependent upon accounting records and summaries. That means advance planning of the work of the agency, and control over the activities of the agency. There are other controls in public welfare administration besides finance, but within the limits of the law they are ultimately subordinate to financial control, which is effected through accounting.

While planning carefully to make sure that the funds of the agency are distributed properly through the fiscal period is of elementary importance, it is not so readily recognized by public welfare administrators that a knowledge of and control over unit costs, assuming sufficient qualified personnel, is the key to good service and efficient administration. A "unit" may be any significant piece of work or part of the organization. In manufacturing it is usually a completed product, and the unit cost includes the cost of material which went into the product, the cost of labor required to turn it out, the cost of building and equipment depreciation incidental to making the product, and general overhead charges assignable to the product. A public welfare unit is defined in different terms. It may be the maintenance of an unemployed man for a day, and the cost of this unit would include food, clothing, shelter, case-work service, medical care, administration, and other things. It may be a patient-day in a hospital for the insane; the unit costs would then be defined in terms of cost of food, clothing, medical care, certain special services, medicine, maintenance and depreciation of equipment and buildings, and such other costs as might be involved. Determination of unit costs almost always requires occasional time studies to find out how much time members of the clerical, professional, and administrative staff are giving to specific operations. If the accounting records are planned with reference to significant units of work, processes, or parts of the organization, unit costs can be computed, and they become the basis of comparing the quantity of work done at different times and different places by the same or different workers. A crude definition of the unit would be unfortunate, because some work is

of higher quality than other work; consequently, the quality of work done must be known before quantity can be properly evaluated in terms of cost.

### THE BASIS OF WELFARE ACCOUNTING

A classification of functions and activities is the basis of public welfare accounting. Accounting in a public welfare agency can be organized and carried on satisfactorily, only if the policies are clearly stated and understood and the administrator knows what to do. This implies a judgment regarding the significant functional units of the agency; they must be identified and defined, before accounting forms can be designed and printed. That is the job of the administrator and members of the professional staff. When they have done their job of classifying functions and activities, it is then time to call for the accountant and ask him to submit a plan for recording the financial facts which are related to functions and activities as defined. More than one type of classification is often desirable.

**Classification by Type of Client.** A public welfare agency is established to render services to the people—to clients and to the general public, the one directly and the other indirectly. It may be a specialized agency, such as the Chicago Relief Administration or the WPA, or it may be a general agency through which all local or state services are co-ordinated or integrated. At the state level the New Jersey Department of Institutions and Agencies illustrates co-ordination of all public welfare services, except minor services, through a single agency, and at the county level the North Dakota county departments of public welfare provide a similar illustration. In order to simplify the analysis only the classification problem at the state level will be discussed at this point.

A state department administers or supervises hospitals, prisons, correctional schools, specialized institutions, parole, several kinds of public assistance, child welfare, and often other services. Some services cost more per unit than others, because more expensive professional care is needed. Some work, such as child welfare and un-employment assistance, may be regarded as more constructive than other services, such as old-age assistance or a prison for older offenders. Consequently, it is desirable to think of these various services as major administrative units. The measurement of results is in different terms; hence we ask different questions when we think in terms of cost. For example, an aged person who is dependent will

rarely contribute anything further to community life other than sociability, but we believe that he should be maintained at a standard which assures physical health and minimum comfort. What is the cost of such service per day? To answer that question the accounting chart for old-age assistance has to be drawn up for the specific purpose of making an answer possible. If the standard is physical health and minimum comfort (fixed by statute and implemented by adequate appropriations), the professional problem is to organize and administer the means of achieving this end at minimum cost per assistance-day. A variety of services—medical, social, financial—given during the month or year have to be reduced to terms of an assistance-day. To do this the accounts must be set up so as to show the several items of cost which enter into the charges assignable to an assistance-day.

The classification of functions in a boys' correctional school in the nature of the case must be different from that for old-age assistance. The aim of the boys' school is to re-educate the boys who are committed—to re-educate in the sense of modifying behavior patterns as well as providing academic and vocational training. At age 21 or earlier these boys will be returned to society. It is the business of the school to utilize every resource to develop useful, law-abiding citizens by the time the boys are released. The boys are potential assets to their communities as workers and as citizens. What is the cost of a correctional school in terms of pupil-days? How is this related to success after release in terms of the length of time the boy spent in the institution? Within the institution the services provided for the boy include food, clothing, shelter, medical care, dental care, psychological examination, social case work, academic and vocational instruction, farm and industrial employment, recreation, religious service, and the service of house mother and father. When the boy is ready for release, placement in his own home or a foster home is planned, and after release, supervision in the home is required for an indefinite period. Some of these services may be performed by other agencies of the state department, or by a county department of public welfare. What is the pupil-day cost within the institution and outside of the institution? This can be determined accurately only if the accounts are set up so as to record the cost of each type of service in such a way that it can be expressed in terms of days. Unit costs may be broken down further: it may be desirable to know not only the composite cost of all services for a

pupil-day, but also the cost per day of academic school, vocational school, employment in the laundry, care by house mother and father, medical care, or psychological examinations. Assuming that research can reveal the quantity of each service which in combination with the others is most desirable, the unit cost may then be a guide to making adjustments to provide more of this service and less of that, or to provide a higher quality of service.

**Government Level.** Few public welfare services can be administered from the state department or the federal office in Washington without establishing smaller geographical areas for administration. The federal government deals with the states, though it may want accounting information by counties, and the state for the most part deals with the counties. In the case of those services which are financed in part by the federal government the federal agency keeps separate accounts for each state. The state department operates in like manner with respect to the counties. The same functions will be performed in each state, assuming that it receives federal money, and in each county. The same accounts and subsidiary accounts are maintained for each, but a different administrative staff has charge of each state or county. State laws vary considerably and affect both organization and procedure. As a means of supervision and control the federal agency wants to know unit costs in the several states and needs to know why some of them appear to be much higher than others. The state department which supervises county departments or has power to set and enforce standards finds similar variations among the counties.

Hence the federal agency and the state department must be in a position to prescribe accounts and accounting records which enable them to know that the money has been expended both according to law and in the interest of maximum service at minimum cost. Furthermore, the ledger sheets or cards must be filed by states in the federal offices, and by counties in the state, or, if the data are punched on cards, then the state or county must be indicated so that tabulations may be made for making summaries from which unit costs are computed. A persistently high assistance-day or pupil-day cost is the signal for a study of the data to find out why the condition exists. A persistently low cost may also be a reason for investigation because it may suggest slighted work and inefficiency. This makes necessary the classification of accounts not only in terms of functions but also by governmental levels.

Some public welfare activities result in a certain amount of income and require a classification of income accounts to show the sources. For example, a state hospital usually has some patients who pay a fee. Money paid out erroneously is sometimes refunded. Some welfare activities are supported partly by endowment funds; this is more common among private agencies but is found in the public field as well. Where public funds are derived from several sources, an account may be set up for each source.

**Comparability.** One of the serious difficulties in the analysis of financial statistics of public welfare is the lack of comparability of classifications. There is hardly any uniformity in the classification of functions and activities made by counties in the same state, except in those cases where the state government has power to prescribe a classification. The same difficulty is encountered in comparing the financial statistics of one state with another. If the same functional classification is not used in two states, no comparison of their unit costs is possible, even though the classification of accounts may be in the same general terms. A certain degree of uniformity of functional classes is achieved in the public-assistance categories under the Social Security Act, but still the Social Security Administration has found it impossible to compare state administrative expenses for public assistance, because of the variety of uses of the term "administrative expenses."<sup>1</sup> Hence, it seems to be one of the primary problems in present public welfare accounting to define and adopt comparable classifications of both functions and accounts.

#### CLASSIFICATION OF ACCOUNTS

For each functional classification there will be a few major groups of accounts. Some of the subsidiary accounts in each group will have the same name, but an institution will have some accounts which may not appear in old-age-assistance accounting. Not all types of institutions will have the same groups of accounts or the same subsidiary accounts; for example, the accounts of a hospital for the insane and of a prison would necessarily differ in some of the details, but the accounts of all hospitals should be identical except in the amounts of expenditures and receipts entered. The budget items which were outlined in Chapter XXII for Michigan contemplate this sort of an accounting plan.

<sup>1</sup> Anne E. Geddes and Joel Gordon, "The Concept of Administrative Expenses in Accounting for Public Assistance Expenditures," in *Social Security Bulletin*, Vol. 2, July, 1939, pp. 27 ff.

The principle of accrual accounting or of cash accounting can be adopted throughout a public welfare system. If accrual accounts are kept, the proper account is debited at the time the expense is incurred, and the balance available for that type of expenditure is encumbered by the amount of the obligation incurred. Certain supplies may be purchased in November, but the invoice may not be paid until December or possibly January. Accrual accounting would require that this expenditure be charged to some account in November. In the case of cash accounting the account would not be charged until a warrant is drawn for the payment of the invoice, and would show as an expenditure for December or January. Both accrual accounting and cash accounting are in use. That creates confusion when it is desirable to make comparisons between two governmental units which employ different methods. Cash accounting is of questionable utility any time. Geddes and Gordon point out that an important problem in welfare accounting is to relate "the data to the operating period. Most public assistance agencies," they state, "now keep their books on a cash basis. To be comparable from period to period and from agency to agency, data on administrative expenses should be compiled on an accrual rather than on a cash basis. Under an accrual system, expenses are accounted for when liabilities are incurred and not when paid. The accrual system is necessary also if expenses are to be related to operations in a given period."<sup>1</sup> Obviously an attempt to compare administrative expenses of a state operating on a cash basis with those of another state operating on an accrual basis is futile except on an annual basis, when presumably the budget law would require a balancing of accounts at the end of the fiscal year.

**Old-Age Assistance Accounts in Illinois.** An illustration of the accounts kept for old-age assistance will indicate the variety and number of accounts which are kept. Old-age assistance is a functional classification which at present all states have. The list of accounts used in Illinois for old-age assistance, where the program is supervised by the state but partly administered by the counties, was as follows:

1. Debit Accounts:

- (1) State Assistance Fund;
- (2) Federal Assistance Fund;

<sup>1</sup>*Op. cit.*, pp. 29, 31.

- (3) Administrative Fund;
  - (4) Assistance Payments (State Portion);
  - (5) Assistance Payments (Federal Portion);
  - (6) Assistance Adjustment Account (State Portion);
  - (7) Assistance Adjustment Account (Federal Portion);
  - (8) Canceled Warrants (Clearing Account);
  - (9) Reversion of State Funds;
  - (10) Refunds and Recoveries (Clearing Account);
  - (11) Refunds and Recoveries Remitted (State);
  - (12) Refunds and Recoveries Remitted (Federal);
  - (13) Burial Awards;
  - (14) Store Room;
  - (15) Administrative Expenses, Central Office (Control);
  - (16) Administrative Expenses, Counties (Control).
2. Credit Accounts:
- (1) Assistance Funds Appropriated by State of Illinois;
  - (2) Assistance Funds Advanced by the Social Security Board;
  - (3) Refunds and Recoveries.<sup>1</sup>

Weigel and Kettle explain each of the above items in their bulletin. Obviously the debit accounts show expenditures, and the credit accounts show receipts of money. It will be noted that the debit accounts (15) and (16) are "control" accounts; under each of them subsidiary accounts are kept for salaries and wages, travel expenses, office supplies, postage, printing and binding, office rents, communication service, equipment rent, repairs and alterations, equipment, and "other expenses." If no important services to the administration of old-age assistance are provided by other governmental agencies, it would be possible to compute unit costs of various kinds on the basis of these accounts.

The question of additional services not accounted for has to be answered when unit costs are to be determined; sometimes these services are large and account for considerable expenditures. Almost any local, state, or federal governmental agency is dependent upon other local, state, or federal agencies for certain services. The State Auditor of Public Accounts and the State Treasurer kept four different accounts for old-age assistance in Illinois. These state departments must employ a number of people to handle the work that comes to them because of the old-age assistance program. The same

<sup>1</sup> John C. Weigel and Fletcher C. Kettle, *The Illinois Plan of Fiscal Control in the Division of Old Age Assistance*, p. 60.

may be said of the purchasing and printing departments. Are the costs of such services chargeable to the administration of old-age assistance? That is a question for the administrative authorities to answer; they may instruct the accounting office that each of these departments receives its own appropriation on the basis of estimated requirements and that whatever the services rendered to old-age assistance the costs are to be charged to these departments without reference to the Division of Old Age Assistance; or such services could be defined as essential to the efficient and honest administration of old-age assistance and therefore should be regarded as a part of the cost of that administration. The amount and cost of services performed in the interest of old-age assistance (or any other social-service function) by other departments varies among the states. Consequently, comparison of costs among states is impossible unless similar charges against the administration of old-age assistance are made in all of them.

**Accounts of the A.H.A.** In 1936 the American Hospital Association published a standard classification of accounts which was recommended to member hospitals. No such classification has been made for public welfare, and since accounting in general hospitals is similar to what is needed in state hospitals for mental diseases, a part of the plan of the American Hospital Association is given here. The uniform classification of accounts is given in eight groups, each of which has subsidiary accounts, as follows:<sup>1</sup>

**Group 1. Operating Expenses:**

**11 Administration:**

- 111 Salaries
- 112 Supplies
- 113 Miscellaneous

**12 Dietary:**

- 121 Salaries
- 122 Supplies
- 123 Miscellaneous
- 124 Foods

**13 House and Property:**

- 131 Laundry
- 132 Housekeeping
- 133 Plant operation

<sup>1</sup> The numbering system is included to show the simplicity of cross-reference and identification. See *Hospital Accounting and Statistics*, 1936, pp. 33-52.



- 134 Maintenance and repairs
- 135 Motor service
- 136 Allowance for depreciation of equipment and fixtures
- 14 Professional Services:
  - 141 Medical and surgical service
  - 142 Nursing service and education
  - 143 Medical records and library
  - 144 Social service
  - 145 X-Ray department
  - 146 Laboratories
  - 147 Operating and delivery rooms
  - 148 Pharmacy
  - 149 Other professional services
- 15 General Out-Patient Service:
  - 151 Salaries
  - 152 Supplies
  - 153 Miscellaneous
- Group 2. Non-Operating Expenses:
  - 21 Expenses of Non-hospital Services
  - 22 Interest on Short-Term Loans
  - 23 Interest on Bonds, Mortgages, and Long-Term Loans
  - 24 Rentals of Land and Buildings
  - 25 Taxes
  - 26 Depreciation of Buildings
- Group 3. Gross Earnings from Hospital Service <sup>1</sup>
- Group 4. Deductions from Gross Earnings
- Group 5. Non-Operating Income
- Group 6. Current Assets
- Group 7. Liabilities and Reserves
- Group 8. Capital <sup>1</sup>

This chart of accounts provides for the keeping of financial records in such form that costs for any unit likely to be significant could be determined. First-degree subsidiary accounts are numbered with two figures, second-degree with three figures, and third-degree, which are not reproduced here, with four figures. Thus, for Group 1 an example would be: 13 House and Property, 131 Laundry, and 1,311 Salaries. Some changes would have to be made to adapt the chart of accounts for general hospitals to such institutions as hospitals for the insane, sanatoria, and institutions for the feeble-minded, but an adaptation could be made. For noninstitutional

<sup>1</sup> Subsidiary accounts have been omitted for Groups 3 to 8. They will be found in the work cited.

services a standard classification of accounts would vary considerably. That a standard classification of accounts for all types of public welfare services is necessary and would automatically eliminate some of the controversies over costs by providing exact data in usable form, is evident.

**Major Groups of Accounts.** Both simplicity and clarity in public welfare financial matters would be served by agreement on a few major groups of accounts for each principal type of service, such as public assistance, child welfare services other than assistance, probation, parole, and institutions. A uniform system for all kinds of services is probably impracticable, but similarity is possible, and the same major groups of accounts for each service could be adopted by all governmental levels for the particular service. A county old-age-assistance agency might not require all of the groups in the chart of accounts which would be required by the state, but the groups needed by the county would also be needed by the state department.

Perhaps no subject of controversy arises more frequently than the cost of administering a public welfare function. What is meant by the phrase, "cost of administration"? In old-age assistance does it include all expenditures except the amount of assistance paid to the client? In the chart of accounts for hospitals "administration" is a restricted concept; it includes only general office, accounting, admitting, purchasing, and storeroom activities, and the items of expenditure under each are salaries, supplies, and miscellaneous. It does not include dietary, house and property, housekeeping, plant operation, maintenance and repairs, professional services, and general out-patient service. In the administration of old-age assistance in Illinois administrative expenses seem to include all expenses of the division except assistance payments.<sup>1</sup> This practice is not limited to Illinois. Geddes and Gordon<sup>2</sup> suggest: "If used strictly in its accounting sense, administrative expenses of public-assistance programs should include only the expense of the executive offices and of such service units as business management, personnel management, legal counsel, and research. In actual practice, public-assistance agencies are using the term to embrace all expenses other than those for assistance payments."

Such lack of clarity in public welfare accounting is due first to a failure to give precise definition to significant functional units. Ac-

<sup>1</sup> *Supra*, pp. 435-436.

<sup>2</sup> *Op. cit.*, p. 28.

counting is a tool of administration. It has nothing to do with decisions affecting policy other than to make available, in forms previously determined, certain facts which affect decisions. If the right facts are not available or if on instruction they have been presented in forms unsuited to the purpose of the administrator, incorrect or unwarranted decisions may be made. Geddes and Gordon, observing the difficulties encountered by the Social Security Administration in connection with public-assistance accounting and especially with the concept of "cost of administration," suggest that "Positive steps that might be taken to obtain a more accurate measurement of expenses of conducting the public-assistance programs include (1) defining the scope and content of public-assistance programs, (2) defining assistance payments, (3) developing techniques for prorating joint expenses, (4) relating expenses to the operating period, (5) discovering and measuring expenses not borne by the public-assistance agency, (6) classifying expenses other than those for assistance payments, and (7) measuring performance and relating expenses for performance."<sup>1</sup> These writers emphasize the definition of functional units as preliminary to classification of accounts according to any formula which will meet the requirements of public welfare administration. Some progress has been made during the last ten years in developing an accounting classification for each principal type of public welfare service.

#### FINANCIAL SUMMARIES

The financial summary is made at the end of a fiscal period. It may be made monthly or quarterly, but more often it is made annually. Several kinds of financial summaries are made, each of which serves a different purpose. The kind of financial summaries made by a state hospital would differ from those made by a prison or an old-age-assistance agency. Financial summaries relate to income, expense, indebtedness, accounts receivable, accounts payable, investments, and capital. The specific form which these financial items take depends upon the kind of public welfare service—and, of course, on the ideas and purposes of the administrative authority. Common summaries are the balance sheet, statement of income and expense, cost per unit of service, and apportionment of expenditures by type of expenditure among the services. These and other finan-

<sup>1</sup> *Ob. cit.* p. 20.

cial statements are made by all levels of government. State departments often present certain of them by counties, and the federal government gives some of the summaries by states.

**Definition of Certain Summaries.** The balance sheet was developed in private business as a means of showing in brief space the general condition of the business at the close of a period. It consists of a column of assets and a column of liabilities. The assets of a corporation include such items as cash, accounts receivable, notes receivable, inventories of supplies and materials, prepaid expenses, securities, real estate, land, buildings, and equipment. Liabilities of a corporation may consist, among other things, of accounts payable, notes payable, accrued salaries and wages, working capital, investment fund capital, securities payable, and capital. Assets in the balance sheet are equal to liabilities. The above list of assets and liabilities might for the most part differ only in detail from those of a private business, though they happen to be included in the sample balance sheet suggested for hospitals by the American Hospital Association.<sup>1</sup>

The balance sheet of a public hospital would differ in some respects from this one, and that of a noninstitutional agency would show substantial differences, but the principle of a balance of assets and liabilities at the end of a fiscal period remains. If the liabilities of a private corporation exceed the assets, the corporation is insolvent. The situation is different in a governmental agency. Some public welfare laws, notably those relating to relief, permit the agency to borrow to meet an emergency, and the money is paid out to persons in need; the loan constitutes a liability of the governmental unit concerned, but there is no obvious equivalent asset with which to balance it, because the money has been spent for assistance and operating expenses. What is the real asset in such a case? It is the taxpaying ability of the citizens of the governmental unit, but in practice nobody proposes that this be represented as an asset in the balance sheet.<sup>2</sup> Consequently, the balance sheet of a public welfare agency is a "statement of resources and obligations," in which the assets may exceed the liabilities and an item designated "surplus" be included, or the liabilities may exceed the assets and an item designated "deficit" is included. Unless the government chooses to repudiate its obligations, the deficit will be made up by

<sup>1</sup> *Hospital Accounting and Statistics (op. cit.)*, p. 23.

<sup>2</sup> W. F. Willoughby, *Principles of Public Administration*, 1927, p. 577.

a special appropriation provided out of a tax levy at some later date.

A statement of income and expense for the fiscal period shows the sources of income and the amount received and the kind and amount of expenses. This summary statement may also show a surplus or a deficit. A general statement of the income and expense of the department is brief and presents only a few large items. Income for a public-assistance program may be represented by items for federal contributions, state appropriations, county appropriations, refunds and recoveries, payments for services to other agencies, and interest on bank balances. The expense column or table may include items for assistance, medical care, rents, transportation and communication, and wages and salaries, or the items may be stated in terms of the type of assistance without an explanation of the nature of the expenditure. Public welfare reports usually contain a summary of expenses but less often a statement of sources and amounts of income. The latter is a matter of public interest and should be given along with expenses.

A table of unit costs is highly desirable, though rarely published except in crude form. State hospitals divide total expenditures by the number of patient-days and publish the results as the cost per patient-day. That has a certain value, but it lacks the precision for useful comparison with a corresponding figure for a different year or for another hospital. The cost per assistance-day for old-age assistance or aid to dependent children is probably more comparable from year to year or state to state than the patient-day figure, because the administration of public assistance is in many respects simpler than the administration of an institution. Nevertheless, a table of specific unit costs would be more useful to the administrator and the board and more illuminating to the legislature and the public. The crude patient-day cost could be broken down into unit costs for medical and psychiatric care, occupational therapy, social service, food, building maintenance, operation of farms, operation of industries, and general administration. Assistance-day cost for aid to dependent children could be shown in terms of unit costs of assistance, case-work services, medical care, equipment, and general administration. Proper classification of accounts would make possible the computation of unit costs of any desired kind.

Apportionment of operating and assistance or other expenses by type of service should be done, where the same agency administers

several different services. In the local agency the same employees often divide their time between several kinds of assistance, and they may supervise a few probationers or parolees. The administrative staff does work involving all the activities of the agency. A large state agency may be divided into more or less independent divisions, but there are expenses for services performed for the divisions by the general administrative staff of the department, and other general expenses are incurred which should be apportioned to the various divisions and possibly sections. If the apportionment table is to be very useful, it has to be prepared in considerable detail.

### QUESTIONS

1. What is the purpose of accounting records?
2. What is meant by control through accounting?
3. Discuss the value of a classification of functions and activities by type of client.
4. What is the administrative value of classifying activities for accounting purposes by governmental unit?
5. Distinguish between accrual accounting and cash accounting and indicate which is preferable.
6. What classification of accounts does your county welfare department use?
7. What classification of accounts is in use by your state department of public welfare?
8. Of what use are financial summaries? What summaries does your state department use?



PART FIVE

PUBLIC RELATIONS





## CHAPTER XXIV

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### BOARDS, COMMITTEES, AND VOLUNTEERS

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The public relations of welfare agencies bear a remarkable resemblance to those of the public schools. The nature of the welfare and the educational functions of the community makes this a fact. The public schools bring into their halls the vast majority of all children in every community in the country. Local taxes are levied for school purposes, and the county commissioners usually make it clear how much of the total levy is for school purposes, because few people object to paying taxes to maintain the schools. In almost all communities, except those in which the schools are controlled by the township trustee or supervisor, there is a local school board; there is usually a county board of education and a state board of education. State governments now commonly appropriate funds for grants-in-aid to the public schools. A large proportion of schools have parent-teacher associations which are in effect joint advisory committees composed of parents of children attending the school and the teachers of the school.

How does public welfare organization compare with the public school organization? On the side of service received, a smaller proportion of the people in a community receive direct services from a public welfare agency than receive educational services from the school. But direct service by the schools is rarely for any except children, whereas the welfare agency is available for service to any age group which needs the assistance it can give. Financial support for public welfare comes from local taxes and state grants-in-aid, and the county commissioners and the state legislature want the public to understand how much of the total tax levies is for welfare purposes. The legislators can defend a vote for welfare levies, and the public will favor the levies, so long as reasonable efficiency and honesty are apparent in the agency. Welfare boards are almost, if not quite, as common as school boards; some of them

are advisory, others are advisory and paid or nonpaid administrative boards. School boards are usually policy-making in nature. Public welfare committees are the nearest approach to the parent-teacher association; they differ from parent-teacher associations in that their membership is not open to an entire class of people but is appointed by a welfare board or an official. Hence they do not represent the community in the same sense that parent-teacher associations do, and the technique of public relations differs because of that fact. Reducing the functions of the school and the welfare agency to abstract terms we may compare them in this way: the school transfers the culture of the adult to the child, not all of it but an important part of it; the welfare agency helps to maintain the physical and mental health of the people, when endangered, in order that they may be able to participate in the culture of the time.

### THE CITIZEN PARTICIPANT

In considering what are the public relations of welfare agencies and how to direct them in the interest of public welfare services, we need to understand the function of the citizen who participates in welfare work as a layman, in respect to the structure and process of public relations. Nobody has yet found a satisfactory term by which to refer to a board member, a member of a committee, or a volunteer worker. For lack of a better term, these people may be referred to as "citizen participants" to distinguish them from members of the employed staff.

**Status of Participant.** A man or woman who is appointed to the membership of a welfare board or committee or is asked to do certain work as an individual volunteer has a position in the community which led to the belief that he or she would be a useful member of the board or committee or a valuable volunteer. Volunteer workers have been used in private agencies much more than in public welfare agencies, but have been used successfully in both. The citizen participant has status in the community, such that his association with the agency contributes to the achievement of its purposes. A few people have attained in a variety of ways such status that they are known to almost every person in the community except small children, but the vast majority of people have status within a smaller circle.

The individual may achieve status in the church, in clubs, in

civic groups, in business groups, or in political groups. He or she may be known to certain people as a Presbyterian or a Catholic; to other groups the person may be known as a Rotarian, member of the League of Women Voters, member of the American Legion, member of a farmers' co-operative committee, manufacturer, member of a labor union, teacher, or worker in the Democratic or Republican party. He<sup>1</sup> may be a "prominent" member of one or more of these groups, or he may be an average active member. These multifarious social activities of the individual, and his importance in them, create his status. Length of participation in a group in itself affects the respect in which the individual is held by other members of the group; that is, loyalty to the group interest, as indicated by long participation, contributes to the influence which the opinions of the individual have among his associates.

Because the citizen participant is one who not only wants to participate in welfare work but who also is wanted, the status and ability of most citizen participants are likely to be well above the average for the members of the community as a whole. A man may want to be appointed to the county welfare board, but if his status is not satisfactory to the appointing authority he cannot become a member. A woman may want to be chairman of an advisory committee on child welfare, but her status and personal qualities have to be such as to convince the administrator or other appointing authority that she is the person for the job. Questions both of public opinion and of technical capacity enter into a decision to invite or urge someone to become a citizen participant.

**Participant as a Nucleus.** The citizen participant is a nucleus of a segment of public relations. His<sup>1</sup> opinions, feelings, and actions with regard to public welfare services radiate an influence upon the people with whom he<sup>1</sup> is frequently and significantly associated. As a member of a church or a labor union, it becomes known that he is participating in the public welfare activities of the community or the state. Persons less familiar with the public welfare program seek information from him, or they bring criticisms. The citizen participant expresses his opinion, which may not be convincing in all cases but has more than ordinary weight. His judgment carries more weight with the members of some interest group, such as a labor union, of which he is a member, than it does with strangers

<sup>1</sup> Here as in various other parts of this text, the masculine pronoun is used to apply to individuals of either sex.

or persons who know him only casually. On the other hand, a man or woman who is a member of a welfare board has neighbors who know of this activity. In that neighborhood, in so far as the participant's connection with the welfare agency is known, he represents public welfare work. If the neighbors like him, they are inclined to believe that the public welfare agency may be all right, and through their acquaintance with the participant they feel that they are closer to the agency.

The personal acquaintance of the citizen participant with officials, political leaders, labor leaders, newsmen, businessmen, and other influential people results in a diffusion of information and attitudes about public welfare services. It goes on through the casual contact, remark, or conversation. Often there is no conscious effort to propagandize or educate the friend. It would be poor technique for a board member or a member of a committee to deliver soliloquies on the work of his agency whenever he sees his friends. Very soon they would be bored, and it is then easy to transfer boredom with an individual to boredom with what he represents. Casual remarks made in the natural course of conversation often have more suggestive power than speeches.

**Public Welfare and the Folkways.** Mutual aid has been a part of the folkways of Western peoples since before the dawn of history. Sympathetic response to a person in need is regarded as not only natural but obligatory. The effectiveness of the response is another matter; it may be quite impulsive and unintelligent, but that is a matter of quality. Modern public welfare services are the organized expression of mutual-aid folkways. The popular belief, much weaker now than formerly, that "just anybody" knows how to give relief is antagonistic to the professionalization of services. All of the "human feeling" that for millenniums has been associated with mutual aid and charity seems to many people to have been squeezed out of modern public welfare work. Professional social workers are believed to be "hard-boiled." Such expressions reflect the emotions associated with folkways. A major problem in public relations is to assimilate the public welfare agency to the folkways of the community. This is accomplished only to a limited extent by didactic efforts. Rather it results from the subtle suggestion which emanates from the people, lay and professional, who participate in the work of the agency and who become identified with it in the mind of the public. Persons with prestige and humane impulses, when they

become associated as citizen participants, are themselves the most effective arguments for the work of the agency. Consequently, it is desirable in the local community to have a considerable number of citizen participants who are drawn from many different interest groups and many different neighborhoods. Unnecessary committees or committees that are too large are, of course, unwise, because the citizen participants do not have enough to do to make their assignments seem important. The citizen participants must feel that they are performing an essential service.

#### VARIETY OF RELATIONSHIPS

The kind of relationship between the citizen participant and the agency is determined by the nature of the participation. The relationship of the board is formal. The powers of the board are fixed by law. Its duties may be partly defined in the law, but there will be additional, subordinate duties which have been assumed from time to time as circumstances required. The powers of the board are the legal basis for the performance of duties. Power enables the board to act but is no guarantee that it will act intelligently. The efficiency and sincerity with which duties are discharged determine the prestige of the board. Because of the formal authorization of the board in law, appointment to the board carries with it potential honor and dignity. Members of a board which performs its duties well acquire prestige in the community, and their opinions have weight with the public.

Committees usually have only advisory powers. They are appointed by the board, by the administrator, or perhaps by a division head. A state or local public welfare agency may have a few standing committees, but it will have special committees appointed to do particular pieces of work, upon the completion of which the committees are discharged. A standing committee usually meets regularly and at other times on call. In these committee meetings matters of both policy and procedure are discussed with members of the staff. A consensus of opinion gradually develops with respect to something that should be done. A recommendation may be made to the administrator or to the board, depending upon what kind of action is required. Much of what finally is policy expressed through legislation begins to be formulated in special committees. There is less prestige attached to membership on a com-

mittee than membership on a board, because the committee is less generally known in most cases, but the committees deal with professional matters, and it is some distinction for a nonprofessional person to serve on one of them. The members of committees talk about the work they are doing in informal groups, and sometimes in formal meetings where the individual has status and his opinion is respected. Since in the aggregate a large number of people serve on committees of a county or state department of public welfare, the members constitute many nuclei for public relations.

The volunteer worker is someone who has agreed to spend time regularly or occasionally with the agency. The volunteer worker is under the supervision of an employed worker and does only what is laid out to be done. It is probable that a careful analysis of the tasks available would result in more openings for volunteer workers. The volunteer often has the attitude that, since he is not paid, his promise to work on a certain half day or day implies no special obligation to work. That kind of a volunteer cannot be used satisfactorily. For that reason the best kind of a volunteer is one who has at some time in the past done similar work and who understands the necessity of keeping engagements. From the viewpoint of public relations a dependable volunteer has distinct value; donation of time implies that the volunteer believes in the importance of the service which the agency is giving or that the volunteer believes that by being associated with the agency he acquires prestige himself. In either case the volunteer will talk about the work of the agency and will help to create a friendly attitude in the community toward the agency. Married women who do not care for paid employment and who have had valuable training and experience in the past are often willing to give some time as volunteers. Their position in the community may be such that having them associated with the agency results in much favorable comment and publicity. Obviously it is the local agency which can use the volunteer the best.

#### FUNCTIONS OF THE ADMINISTRATOR

Attention to public relations is one of the primary duties of the executive head of a public welfare agency. This responsibility cannot be delegated. Much of the detail must be handled by others, but the administrator must be fully informed of all matters involv-

ing public relations. Public welfare administrators are on the average less successful in utilizing boards and committees for public relations purposes than private agency executives, especially community-chest executives. The problem of the public agency is not the same as that of the private agency, but the skill which private social workers have developed in public relations can be adapted to the requirements of a public welfare department.

**Educating Citizen Participants.** Many people who are appointed to boards and committees know little of what is expected of them, but they have intelligence, and they are respected in the community. Public welfare administration is a special kind of governmental activity which happens to be of tremendous interest to the public. The new citizen participant should be guided as rapidly as possible to an understanding of the work and tactfully instructed in ways of making himself most useful. Not all of this work necessarily falls upon the administrator, but it is his responsibility because of the inevitable influence citizen participants have upon public relations.

It is the business of the administrator to cultivate the acquaintance of members of his board and of the important committees; but minor committees may be handled by division heads in local agencies. In a state department the divisions may have standing advisory committees or councils. Here the division head may be the executive with immediate responsibility, but it is well for the administrator to cultivate an acquaintance with at least the chairmen of such committees. A county or state board of five persons presents five opportunities for the administrator to broaden his contacts with the public. If the administrator knows the interests, abilities, and connections of each of his board members, he knows how to make use of them individually, and he can guide them in their contacts with individuals and groups so that each board member becomes a center from whom desirable influence radiates.

Board and committee meetings should be carefully planned. The administrator or a division head will do most of the planning, but it is good technique to discuss the agenda of a meeting with the chairman. The agenda should not be so completely worked out that there is no real opportunity for the chairman to make suggestions. The thinking of members of a committee or of a board is not the same as the thinking of members of the staff; first, because they are different people, and, second, because they are for the most part nonprofessionals. Far from being a disadvantage, this fact is a



decided asset to successful planning and service. Citizen participants bring different experience and different viewpoints to bear upon current problems. They help to keep the agency flexible and the staff alert to matters they might overlook. The administrator and members of the staff introduce citizen participants to professional modes of thought which consciously and unconsciously are relayed to the friends and acquaintances of the citizen participants. The result is a promotion of better general understanding of public welfare work in the community.

The administrator should arrange for members of his board and of important committees to meet citizen participants from other counties or states who may be visiting in the community. With due discretion the same practice might be followed with respect to visiting professional people. There is no occasion to have a large luncheon or dinner every time an interested visitor comes to town, but if the administrator knows his citizen participants well he can think of one or a few who would like to meet the visitor. Such contacts have a valuable but subtle effect upon citizen participants no less than upon professional social workers; there is in the situation a suggestion that public welfare is a big thing, that the thing we are doing in our community is being done by others in another community, and that all of us are engaged in an enterprise which has tremendous import for the well-being of the community, the state, and the nation.

On a much larger scale citizen participants have a chance to gain this impression at the state conference or the National Conference of Social Work. For most citizen participants the state conference has the most value, because they feel that in a real sense this is their affair. At round-table discussions they may participate, and they enlarge their acquaintance with others engaged in public welfare work throughout the state. This is not to suggest that the program of the state conference should be stepped down to the layman's level. On the contrary, it should be an opportunity to bring the citizen participant into professional discussions and into more formal meetings where addresses are given on professional subjects.

Since the citizen participants are more interested in public welfare work than the average person and are better informed, the administrator should see that they receive reports and periodical publications. State departments usually issue one or more regular publications which go to anyone who asks to be put on the mailing list, but

the names of members of boards and committees should be put on the mailing list routinely and without a formal request from them. Local agencies have fewer publications, but they occasionally mimeograph or print reports. These should without fail be sent to every member of a board or committee and every volunteer. They will be read by a large proportion of the citizen participants, and in counties outside of metropolitan areas it is safe to predict that every citizen participant will read them if the format is reasonably good.

**Handbook.** It is common practice for both state and county welfare departments to prepare manuals and handbooks for the use of the staff. This is necessary to ensure compliance with regulations in all details. It is a little surprising that ten years ago administrators had not prepared handbooks for board members. It should be an exceedingly useful device for introducing new members of county boards to their jobs. Obviously a handbook for board members would differ in form and content from a handbook or manual for the staff. It would be less technical in language. It would perhaps quote those parts of the law which set forth the powers and duties of the board. These would be explained, and relevant rules and regulations would be quoted or summarized.

At the present time, the uses of a board members' handbook are generally recognized, even though many states do not have such a book. The following is a list of the material included in the *County Board Members Handbook* put out in 1948 by the Indiana Department of Public Welfare:

- Public Welfare in Indiana, General
- Relationship of County and State Departments
- Responsibilities of the State Welfare Department
- Responsibilities of the County Welfare Department
- County Board Members and Their Responsibilities
- Appointment and Reappointment of County Board Members
- Meetings of County Welfare Board
- Delegation of Rights, Powers, or Duties by County Board
- Assuring Reasonable Financing for the County Department
- Adoption of Policies
- Complaints and Appeals
- Confidential Nature of Records
- Appointment of County Director
- Appointment of Acting County Director
- Duties of County Director
- Appointment of Other Staff Members

## Nepotism

Relationship between the County Board and the County Staff

County Child Welfare Services

County Homes

Crippled Children's Services

Hospital Commitments

Inspections of County Jails, City Jails, and Lockups

Nursing Homes

Public Assistance

Supervision of Parolees

The *Handbook* contains 62 pages in loose-leaf form so that additions can be made as needed. This first edition of the *Handbook* was a joint product of the Indiana Association of County Board Members, the Indiana Association of County Welfare Directors, and the State Department of Public Welfare. Unquestionably, the newly appointed county board member is impressed by the seriousness of his obligation when he receives a handbook of this kind.

### QUESTIONS

1. What similarities and differences do you see between the public relations of a public school and of a public welfare agency?
2. What considerations led to the appointment of the present members of your county board of public welfare?
3. What assets, from the viewpoint of public relations, would the following persons bring to a county board of public welfare: (1) A physician? (2) A lawyer? (3) A businessman? (4) A clergyman? (5) A professor? (6) A chairman of the county central committee of a political party? (7) The head of a local labor union?
4. How does a citizen participant affect public relations?
5. Do you think public welfare service is a genuine part of the folkways in your community?
6. Discuss the reasons for the difference in prestige, if any, between membership on a county board and membership on a committee of the department.
7. Work out a plan for the administrator to use in "educating" members of his board and in utilizing their capacities in public relations.
8. What would you put in a handbook for county board members in your state?

## CHAPTER XXV

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### REPORTING TO THE PUBLIC

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Until recent years public welfare agencies have been inclined to limit their public reporting to a few official reports. Little attention was paid to format, type, arrangement of material, and pictures in these reports. Private social agencies have done a more workman-like job of public reporting than have the public agencies. Obviously the private agencies had to solve this problem in order to secure sufficient support to exist and to carry on the relatively expensive, high-grade work which some of them undertook. To raise funds the private agencies had to do something which had inherent and often dramatic human interest, and had to discover ways of making their services just as real to the public as they were to the social workers and board members. It is reasonable to assume that this necessity of "putting the best foot forward" reacted upon the agency to improve the quality of its work in order to have something still better to report to the public. Whatever the explanation of the differences between public and private reporting may be, it is a fact that prior to 1933 public reporting by public welfare agencies was in general the work of well-meaning amateurs. There were notable exceptions, such as some of the reporting of the United States Children's Bureau and a few state institutions. The quality of the reporting was strikingly on a par with the quality of work done by the agency. Good work, good reporting; poor work, poor reporting.

The significance of the relation between good reporting and good work deserves further exploration. The problems with which the agency deals may be reported. For example, the number of applications for assistance, the number of new cases plus old cases, and the number of cases closed may be included. This is the kind of reporting which is carried in official, annual reports, and in the case of poor-law agencies little else is attempted except to state total expenditures for the report period. A private-family welfare agency,

on the other hand, which gives material relief, would not only give the minimum of statistics but would report results accomplished and give concrete case reports to make the work of the agency realistic. This agency would report on problems, and it would also report on what was done and how it was done. But a township supervisor or trustee responsible for relief would simply report enough facts to show why he needed money; it would be the tacit assumption, of course, that the relief he provided must have kept a few people alive, a desirable result, but, by the standard used, nothing to be proud of. The writer was familiar with a state hospital for the insane during the 1920's which did not have a single psychiatrist on its staff (there were a few general practitioners), but it had a fine kitchen. The superintendent showed off the kitchen with great pride to visitors, and he talked about it when he was away from the institution, but he never mentioned psychiatry.<sup>1</sup> Another hospital in the same state had older buildings and more crowded conditions, but it had a research staff and gained a reputation not only in this country but abroad for its work with paretic patients. Its superintendent never mentioned his kitchen but talked a great deal about the results of treatment. In recent years public welfare services in general have been improved, and with the improvement has gone a pride in their objectives and accomplishments. This has stimulated the agencies to tell the public about their work.

### REASONS FOR PUBLIC REPORTING

There are many special reasons for reporting to the public, but in one way or another they all add up to a desire for good will. Private corporations learned a long time ago that profits were affected by their public relations. Consequently they advertised, first, their commodities or services, and, second, their importance to the public. They began by reporting to the stockholders, but now many of the best-managed corporations make reports to their employees. They have analyzed the problem of selling goods and services and have adapted their reporting devices to the necessities of the situation. It is rather surprising that governmental agencies have been so slow to understand the importance of reporting to their stockholders, namely, the citizens of the county, state, and nation. Pres-

<sup>1</sup> For obvious reasons the name of this hospital is not mentioned, but another reason is that within the last few years a new superintendent has made of it a much more creditable institution.

sure groups do an immense amount of reporting when they are seeking the adoption of a policy—witness the Townsend old-age pension movement, the efforts of the American Legion to secure child-welfare legislation, and others. Once a policy is adopted by incorporation in a law, the need for reporting of a different kind should be realized: the periodic reporting of problems encountered and methods of attacking them. A good staff can accomplish more if the public understands the meaning of its activities and appreciates the efforts made to meet its problems. Public understanding is created by intelligent public reporting.

**Reports Required by Law.** Some reporting is required by law. This may be done adequately, or it may be done in a perfunctory manner. Usually the public welfare statutes provide for an annual report and such other reports as the legislative body or the administration may require. The Social Security Act may be used to illustrate the kind of statutory provision for reporting which is often made in federal laws. This act provides that "The Board shall make a full report to Congress, at the beginning of each regular session, of the administration of the functions with which it is charged."<sup>1</sup> This report takes the form of an annual book, setting forth the work of the bureaus under the Social Security Administration. The interpretation of the services is simple, well written, and informative, and in the textual part of the report a number of charts are used effectively. The latter half of the report consists of detailed statistical tables.<sup>2</sup> The Administration, of course, has power to require reports from the states as often and in such form as seems necessary.

State laws usually require an annual report to the governor, and they may require local public welfare agencies to report to the state department. The California law specifies in some detail the kind of reporting which the Department of Social Welfare may require:

"III. . . . All the persons in charge of or connected with such public institutions or with the administration of such funds shall furnish to the department such information and statistics as it requests or requires and shall allow the department free access to all such institutions and to all records of such institutions, officers, and persons.

II2. . . . In order to secure accuracy, uniformity, and completeness in such statistics and information, the department may prescribe forms of

<sup>1</sup> Sec. 704.

<sup>2</sup> See, for example, *Third Annual Report of the Social Security Board, 1938*.

report and records to be kept by all persons, associations, or institutions subject to its supervision, and each such person, association, or institution shall keep such records and render such reports in conformity to the forms so prescribed. . . ."<sup>1</sup>

Further specifications are given in the law, but these suffice to show the power of the state department to require reports. The Indiana law provides for reporting in a somewhat different way:

The state department shall "cooperate with the federal social security board, . . . and with any other agency of the federal government in any reasonable manner which may be necessary to qualify for federal aid for assistance to persons who are entitled to assistance under the provisions of that act, and in conformity with the provisions of this act, including the making of such reports, in such form and containing such information as the federal social security board or any other agency of the federal government, may, from time to time, require, . . ."<sup>2</sup>

Under duties of the administrator: "The administrator shall prepare annually a full report of the operation and administration of the state department, together with such recommendations and suggestions as he may deem advisable, and such report shall be submitted to the governor not later than the first day of September of each year. . . ."<sup>3</sup>

County departments in Indiana are required to keep such records and make such reports as the state department may prescribe, but the record forms relating to financial matters must be approved by the State Board of Accounts.<sup>4</sup>

The kind of reports actually published is partly a matter of discretion with the department and partly dependent upon funds available. Some state departments issue excellent monthly bulletins which are sent to anyone who asks to be put on the mailing list. County and city departments of public welfare rarely publish anything but mimeographed statistical reports monthly, but they may issue an annual report. The important point is that all departments, at whatever level, have authority to make reports.

**Reports in Support of Requests for Funds.** Much reporting is done in order to inform the legislative body of financial needs of the department. Such reports may have wider usefulness, but their primary purpose is to support a request for appropriations. The

<sup>1</sup> *Welfare and Institutions Code, 1937*, Division I, ch. I, secs. 111, 112.

<sup>2</sup> *The Welfare Act of 1936*, as amended by acts of 1937, sec. 5 (i).

<sup>3</sup> *Ibid.*, sec. 7.

<sup>4</sup> *Ibid.*, secs. 91, 114.

members of Congress, a state legislature, a county board of commissioners, or a city council must have factual evidence upon which to base their consideration of budget requests and to justify their votes for or against the appropriation bill. An appropriation requires a tax levy. Members of legislative bodies usually want to be re-elected; consequently, they must give attention to what they think their constituents expect of them, and one thing is to keep taxes as low as possible. If the legislative body decides to levy additional taxes or some new tax the members must have sufficient facts to defend their action. The minority political party during a campaign is likely to charge the majority party with spending public money lavishly. A campaign of this sort began in Illinois in 1939. Some of the Republican candidates for the legislature attacked the appropriations for and expenditures of the state Department of Public Welfare. A charge was made that the pay rolls of state institutions were padded and that unnecessary political appointees were drawing salaries which could better be used for other purposes. A state senator declared that 30 per cent could be cut out of the departmental budget without reducing the quality of services.<sup>1</sup> If the state department lacked evidence to prove the usefulness of its expenditures, this kind of an attack might result in reduced appropriations at the next session of the legislature. It should not be assumed that all such attacks are unjustified; that would be far from the truth, because some departments do become lodging places for the "faithful" among the members of the party and may be giving a poor quality of service for the money spent. Adequate and honest public reporting by departments of public welfare can forestall some attacks, and it can take the sting out of others; then the question for decision is not whether money is being wasted but whether the public can afford to maintain services at the existing level.

Human need is always the best argument for appropriations. If the administrator is in a position to show that he has as good a staff as funds available permit and can present the case for human need honestly and effectively, he has a strong position. Members of legislative bodies must be convinced that people needing relief were taken care of, that institutional cases received proper care and treatment, and that aged people and children were suitably benefited by the public assistance program. They can then defend

<sup>1</sup> Article in *Chicago Daily Tribune*, headed "Links Manteno Epidemic with Pay Roll Waste," News Section, November 5, 1939.



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to their constituents almost any reasonable appropriations, and are free to vote according to their convictions.

**Public Education.** A more important reason for reporting to the public, from the viewpoint of the effectiveness of the program, is public education. Interpretation of the public welfare program and particular services requires more than the publication of statistical tables, financial statements, and a formal account of what has been done; it requires writing in the best journalistic style by one who has insight into, and knowledge of, human problems and a thorough familiarity with treatment methods and administrative processes. If interpretation is skillfully and truthfully done, the public will be convinced of the value of public welfare services to the community and the state, and people will give their wholehearted support for maintaining and extending them. The problem of reporting to the legislative body then becomes very simple. The members of the public welfare board and the staff who believe in the value of the work they are doing will want to report to the public, and they will find ways of doing it which are effective. Conviction regarding the importance of the program and the results achieved furnishes the drive for reporting to the public.

There are three broad areas for interpretation: the program, the accomplishments of the organization, and the methods used. A public welfare program, as sketched in statutes and regulations, is a plan for coping with certain human problems which have been recognized in the community. Pauper relief, hospitals for the insane, probation, and child-guidance clinics are devices for maintaining, restoring, or developing the capacities of people. They constitute a program of public welfare services. The public does not understand the relation of these devices to the well-being of individuals and the community. They require interpretation. What are the accomplishments of such a program? In the case of pauper relief they are meager, and the needy suffer great cruelties; even these things need to be interpreted to the public so that a better program can be designed and authorized. The accomplishments of good probation work or a child-guidance clinic may be slight, or they may be very impressive. If they are slight, the cause ought to be known and interpreted to the public. Failure to show desired or expected results of a program may be due to many things, such as a badly planned program, limited funds, or inadequate professional staff. On the other hand, distinguished achievements may be re-

corded. Public education in the aims and methods of public welfare services requires more than the mere announcement that "last year the Blank Department of Public Welfare did nothing worth reporting," or that "last year the Blank Department of Public Welfare had a successful year." An explanation should be made of what was done, however little, why it was done, and how it was done. Public welfare agencies are probably less successful in interpreting how they carry on their work than they are in explaining the program and the accomplishments. The public is interested in the means of accomplishments; they want to know how things are done as well as what was done. One of the major tasks of public welfare agencies is not only to create faith in the program but also to develop faith in the means of executing the program.

### REPORTING MEDIA

How shall public welfare organizations report to the public? There are a number of media which may be used. It would be shortsighted to rely upon a single medium of interpretation, such as the annual report or an occasional newspaper release. A carefully planned reporting scheme will take account of as many media as are available and will adapt the material to the peculiarities of each medium.

**Official Publications.** Official reporting, as indicated above, is a legal obligation of public welfare departments; but the statutes rarely specify the form of the report. A typewritten report to the governor or to the legislative body might meet the requirements of the law. Federal and state public welfare agencies ordinarily publish an annual report and other reports; local agencies publish reports less often, although from the viewpoint of interpretation to the local citizen (who, we have to remember, determines public welfare policy by his vote in elections) the reports of local agencies would seem to be of even more importance than the rather forbidding volume which federal and state agencies put out once a year. Federal and state agencies generally issue monthly reports and some occasional reports on special subjects. These have wider circulation than the annual reports and are more easily read by the average intelligent citizen. The *Social Security Bulletin*, published by the Social Security Administration, is an excellent piece of work; it contains a number of interpretative articles each month and gives statistics for social insurance and public welfare in rather complete form for all of the services in which the federal government partici-

pates. This *Bulletin* is rather heavy reading for the general public, but it is an indispensable source of information for staff and board members. No pictures are printed, but graphs are used to good advantage.

As an illustration of high-grade state public reporting, *Public Welfare in Indiana*, a monthly publication, may be mentioned. This publication is sent free to anyone who asks to be put on the mailing list. It invites contributed articles from anyone who cares to write something for consideration by the editors. Most of the articles are short, simply written, and contain the names of many people associated in one way or another with programs. For example, in July, 1939, the leading article required only one page and carried the headline, "Council on Co-ordination for the Blind is Formed." This council was organized under the auspices of the State Department of Public Welfare. A number of special committees had already been formed. It is good publicity technique to mention names of people; in this article the names of twenty different persons were mentioned in connection with their attendance at the meeting which resulted in the formation of the council. Another two-page article consisted of the case records of two children who had profited from institutional care; the stories were simply and interestingly told. *Public Welfare in Indiana* makes liberal use of pictures of people, buildings, and places. The cover page always has an attractive picture, usually in three tones. Statistics are published in a different periodical. The *Public Welfare* editors are disarmingly frank about their purpose to "sell" the public welfare program and its methods to the public; on the inside page of the July, 1939, number there is a long quotation from E. B. Romig on the necessity for "untiring interpretation and continual definition" for the benefit of the public, the client, and the public welfare employee.

Public welfare institutions have often published attractive and informing annual reports. This is particularly true of the state hospitals and the institutions for defective children. For the most part these institutions began independently of one another and were responsible for making an annual report to the governor. The annual reports of Letchworth Village in New York for a number of years back have been beautiful pieces of reporting and printing. Hospitals usually serve a particular area or a particular group of patients. In either case the individual hospital can make a valuable contribution to public reporting.

The weakest link in the public welfare reporting scheme is the local agency. Most county welfare departments do not even put out a mimeographed statistical report for public distribution. The reason for this is not entirely clear; it may be partly that the affiliated state department mistakenly wants to do all the public reporting, or partly that the cost of publishing reports seems too high. It would be to the interest of the state department, for legislative purposes, to assist the county and city departments in making an inexpensive but effective plan for official reporting. Neither the client nor the average nonclient ever has any contact with the state department, but each has frequent contacts with the local public welfare agencies. The whole public welfare program will be "sold" in the local community, or it will not be "sold" at all.

**Newspapers.** Official reports are highly important and to a limited extent obligatory, but they are only one medium of public reporting. The value of carefully prepared news releases cannot be overestimated. In the case of releases to weekly newspapers any reasonably well-written article on public welfare will be read by every subscriber and many other people who normally see the newspaper. Relatively fewer subscribers or purchasers probably read such articles in daily papers, but their circulation is much larger, and the number of people reached is immensely greater. A news release should be prepared by the agency staff when any monthly or annual publication comes off the press, and the state department should syndicate its releases to all newspapers in the state. A news release must be written as news; if it is in a style reasonably close to that of the newspaper, many papers will use it just as it is written by the agency representative. It is desirable to write a news release at least once a week. Local welfare agencies can turn out something interesting and fresh more easily, perhaps, than state departments, because they are dealing with individuals and families needing services. There is always something dramatic in a case of need, if a person with imagination studies it. News releases, of course, deal with many other things than cases, and they should not overwork the case story.

**Radio.** The radio can be used occasionally to advantage. A mere speech on public welfare over the radio has doubtful value, but if a program is as skillfully planned as private advertising programs it can be exceptionally effective. There is a dramatic quality about a statement made over the radio which the printed page lacks, and,

with all due credit to the value of facts and scientific explanation, it is the dramatic quality of social service, sincerely and skillfully presented, that promotes understanding and sympathy most effectively. The radio is accessible chiefly to public welfare agencies in large cities, and to state departments. They have found it a useful supplement to other kinds of public reporting.

**Screen.** The motion picture film has possibilities which have been appreciated by community chests but have not yet been fully realized by public social-service agencies. Occasionally the motion picture industry attempts to bring out a picture which portrays social service, but it is first and foremost engaged in business for profit and tends to select dramatic episodes which attract attention but which may not represent the best standards of service. The Social Security Board has prepared and distributed a film which presents in rather attractive form the various services provided under the Social Security Act. Some state agencies have attempted short films, but in general it may be said that the possibilities of the film have not been explored as completely as they might be. As publicity, the motion picture has two distinct advantages: first, it simulates a real life situation with three dimensions and movement, and second, it catches the attention of the entire audience unexpectedly and without any effort on their part. Furthermore, there is some prestige value in the mere fact of having a public welfare service presented on the screen of a local theater. These considerations are not to be overlooked in planning the public reporting program.

**Other Forms of Reporting.** One of the oldest forms of reporting public welfare services is the conference which is open to the public. Typical of such conferences is the state conference of social work—and this is not by any means to ignore the National Conference of Social Work which in the field of social service is the grand show of the year. Several hundred professional and lay people attend the state conferences of social work in many states every year. Public reporting here is, of course, indirect for the most part. Problems of program and administration are discussed in papers and at round tables. In North Dakota, a state of large area and comparatively small population, the various programs of its state conference in 1939 were attended by between 500 and 600 people;<sup>1</sup> probably half

<sup>1</sup> The writer attended this conference and was particularly impressed by the number of board members and other lay people who attended and participated. The results showed excellent planning on the part of the conference officers.

of them were nonprofessional, and about 100 were members of county welfare boards. In the conference halls of many states are pictorial exhibits of public welfare services provided by the state and federal governments; the eye often catches a glimpse of some diagram, picture, or object which makes an indelible impression on the mind. The state conferences have not, to the writer's knowledge, made use of one device which has proved immensely popular in community-chest campaigns, namely, the election of someone to the honor of "Distinguished Board Member" or "Distinguished Social Worker." This would be a particularly effective way of recognizing some member of a county board who each year performs some outstanding service for the public welfare program; it would get instant publicity throughout the state, if properly handled, and would call attention each year to an individual who is giving generously of his time and talents to make the public welfare program effective.

Public addresses to clubs, parent-teacher associations, high schools, and colleges by members of the agency staff are valuable for informal reporting on the work of the agency. Every member of the professional staff should welcome the opportunity to talk about his work to lay groups, and the agency can do much toward securing opportunities to discuss public welfare services. Addresses of this sort are often followed by a period for asking questions, when the speaker has an opportunity to answer the specific questions which exist in the minds of individuals. A speaker who has a good public presence can by his manner as well as by the information he gives commend the public welfare program to the group.

Arranging for high school and college students to visit institutions and noninstitutional agencies is sometimes useful. If carefully planned by the leader of such a group of young people, the visit may result in concrete impressions of what is being done that can be got in no other way. The institution visit is probably most valuable for upper-class college students, especially those who are studying psychology and the social sciences and are beginning to have some conception of the technical problems of public welfare work. It is always necessary for the agency, as well as the leader of the group, to make sure that the visit will be something more than an idle slumming expedition. The patients or clients are not guinea pigs and should not be exposed to visits from people who come with that attitude; they have a right to be treated with the respect due to human beings.



Colored posters, such as those often seen in state conference exhibits, might well be used throughout the year. Only simple social or personal situations can be put on a poster, but with color and good design these simple situations can be presented forcefully. A state department could afford to get out a poster several times a year and provide supplies of them to local departments to place in public buildings. The poster can be particularly useful in presenting the constructive and preventive services of the department; it stays in one place several days or weeks and is seen by large numbers of people.

### WHOSE RESPONSIBILITY IS REPORTING?

Responsibility for making a plan for reporting rests upon the highest officials of the agency. If there is a welfare board with policy-making powers, it is the business of this board to see that adequate provision is made for reporting. The actual work of planning the program of reporting will fall on the chief executive officer and one or more of his assistants, and, because of his professional knowledge and experience, he may have to convince the board of the importance of good and sufficient reporting. If the board does not fully appreciate the value of reporting to the public, the professional staff should find ways of educating the members in this respect.

**Staff Responsibility.** In state departments and federal agencies there is almost always a public relations division which among other things is responsible for the technical job of preparing material for publication and for regular news releases. But public reporting is a staff activity, as contrasted with a line activity, and should be immediately related to the director's office. Because so many people are affected by the public welfare program, the director has no more important duty than supervising the various means of reporting to the public. It may seem that in giving a half day of his time to some publicity problem he is stealing time which ought to be devoted to serving people, but that is a shortsighted view. The whole program of public welfare services depends upon public sympathy and support. Without those the agency would soon shrink to the dimensions of an almshouse or go out of existence. Adequate reporting is the means of forming and maintaining favorable public opinion. If the director fails in this, he does not belong in an executive position.

The staff member or members who are assigned to the preparation of reports, regardless of the medium, must have certain special abil-

ities. A man or woman with newspaper experience, as well as training or experience as a social worker, is the ideal person for the work. This person will not write the technical reports (they will be written by persons in the operating divisions), but will be responsible for editing the manuscript for the printer, for planning the articles for the monthly publication, for writing some speeches, and for writing news releases. All members of the professional staff may participate at times or at some point in public reporting, but the public relations office is responsible for organizing the reporting plan. In county or city offices the director is likely to be his own public relations officer. If he undertakes to do it himself, he should give it his best thought and as much time as may be necessary to do a good job.

**Board Members.** When a man or woman takes the oath of office of a member of a public welfare board, a pledge is made to the public to render service. The board member may receive a per diem allowance for his services, or he may receive no compensation. In either case, if he has taken the oath of office, he owes a reasonable amount of service to the city, county, or state. One of the common reasons given for having advisory and policy-making welfare boards is that they can interpret the agency to the public and the public to the agency from a layman's point of view and thereby contribute to good public relations. The board member can do some very effective interpretation by taking opportunities, as they come, to discuss the work of the agency with individuals and before groups. If the board has power to make policies, a member of the board is often in a better position than a member of the staff to explain and, if necessary, defend a policy which has been adopted. Board members of integrity and intelligence may exercise much influence upon local and state public opinion, but especially upon local opinion. Unless the population of a county is very large, the people know the board members personally or by reputation, and they interpret the remarks of a board member against the background of their acquaintance with him. Because this is a fact, the importance of having high-grade people on county welfare boards is emphasized.

#### FACTORS IN SUCCESSFUL REPORTING

Besides the matters which have been discussed above, there are other general considerations which enter into successful reporting.

It is not all a technical problem, but involves common sense and sound judgment.

**Quality of Material.** The kind of material used for reporting is not altogether predetermined by the activities of the public welfare agency. Obviously, nothing can be reported which was not done or thought about, but it is equally obvious that a complete report of all that goes on in a state or county agency is both impossible and unnecessary. That which is germane to the program and to the public interest is what should be reported in such form and at such length as practical considerations allow. Good organization of material for a report and good writing are always desirable. They are in order regardless of the medium used or the audience to whom the report is directed, but the medium and the audience will alter the organization and the style of writing. A style of writing which is appropriate for an annual report of a state department is not the style which should be used in the monthly bulletin or in a speech to the Rotary Club. Only important material should be reported, but a single case of a feeble-minded child may be very important as a means of helping the public to appreciate the problem of the care of the feeble-minded. The end to be achieved determines in large measure the means to be used. Furthermore, the material for a report of whatever kind should fairly represent that particular service of the agency; it would be most unfortunate to discuss nothing but successes. Any citizen knows that welfare agencies have much less than 100-per-cent success in the treatment of cases, and if the agency persists in talking only about its successes the public will soon grow weary of such prodigious claims. The material should be interesting, germane, and representative. Some reports, of course, should contain complete tables of statistics collected, but in this case the decision regarding the kind of material for the report should be made at the time the record forms are adopted.

**Quantity of Material.** The quantity of facts or explanation to be included in a report, whether an annual report or a news release, is a matter of judgment—assuming that money is available to publish an adequate report. If too little material is reported, the public may gain the impression that little was done, and they begin to wonder whether all of the money was wisely spent. On the contrary, too much detail may not be read, may surfeit the public, or may give the impression of “overselling.” It is a nice question of judgment to determine the right quantity of material to publish. Skillful report-

ing can often use a small amount of representative facts to convey a meaning, when a bulky report might result in confusion. The correct amount of information and interpretation, carefully planned, maintains the interest of the public, develops an informed public opinion, and gives an impression of worth-while things done and also of important problems not yet solved.

**Continuity and Frequency.** Public reporting is a year-round job. Too many county welfare departments act as if they thought the only time a report is necessary is just prior to the time when they present the annual budget to the county commissioners. The time to begin reporting for legislative purposes is the day after the legislative body adjourns. Then by the time the next fiscal year arrives, public opinion will have been solidified, and the request for appropriations is accompanied by fewer storms and disappointments. But a department of public welfare in the county or state needs a supporting public opinion for things other than appropriations. There are sharp differences of opinion over major policies: How should paroles be granted and by whom should parolees be supervised? Should the state abolish the local poor-law authorities and create a new system of unemployment assistance? Should the state have traveling psychiatric clinics? Should all public welfare services in a county be administered by a single public welfare department? What portion of the cost of public welfare services should be borne by the county, by the state, and by the federal government? Many other questions remain unanswered, and the answers to them await in large part the formation of a public opinion in favor of some kind of an answer. It often takes many years or a crisis to alter a major policy.

Public reporting should be based upon analysis of problems of service and administration and must be continuous. Furthermore, it must be frequent enough to keep the questions before the public and keep people informed of what is being done. Making due allowance for the value and legal requirement of annual reports, it may reasonably be questioned whether an annual report of 200 pages has as much value for publicity as a weekly news release of a few hundred words. The general public does not read annual reports, and the people who do read them, unless they are public welfare employees, may forget what they have read before the next one appears. The monthly state bulletin, if simply written and attractively designed, shortens the time interval. The weekly news re-

lease shortens it still further. No hard and fast rule can be laid down about the interval which should elapse between public welfare reports. It has to be determined by administrators on the basis of local conditions and practical considerations, but continuity of reporting should be an aim of the department. The frequency of reporting in order to assure continuity of information and impression is at best a shrewd guess, but the guess must be made in the interest of the public welfare program.

**Newsmen.** Newspapers accept and publish releases partly because they like the personnel of the department of public welfare, and particularly because they like the administrator and the public relations officer. It should be the aim of the administrator and the public relations officer to cultivate the acquaintance of publishers, editors, and reporters. This is entirely ethical and is so regarded by newsmen. It is not enough merely to know a reporter or two; they take orders, and the city editor may have orders to "kill" certain types of stories or to reduce them to a paragraph and "bury them on inside pages." If the right relations are established with newsmen, which means frank and honest relations, publishers and editors will often undertake a campaign to achieve some community purpose. They may do this on their own initiative, but they will also frequently go out of their way to co-operate with an able, honest public administrator.

### QUESTIONS

1. Do you see any relation between reporting to the public and democratic government?
2. Why do public welfare statutes require reports?
3. Discuss the value of public reporting to a legislative body.
4. Is it important to educate the public with regard to public welfare work? Concerning what should they be educated?
5. Plan a monthly public welfare bulletin of 10 pages for your county department of public welfare.
6. Write a news release of 300 words about aid to dependent children or probation in your county.
7. Why is public reporting a particular responsibility of the chief executive of a department of public welfare?
8. What kind of reporting would you suggest and how frequent in order to secure continuity of information and impression in your county or your state?

## PART SIX

### STATISTICS AND RESEARCH



## CHAPTER XXVI

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### SOCIAL STATISTICS

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For the convenience of discussion it is desirable to distinguish between social statistics and financial statistics, but both kinds of statistics relate to the same problem, namely, the provision of a public welfare service. Both kinds of original data often appear on the same record form, but the statistical office may check and tabulate the social data, and the accounting office may check and tabulate the financial information. In some state departments of public welfare there is a division of general administration, of which statistics and accounting are two sections, but in others the two functions are co-ordinated only through the chief executive of the department. Finally, however, expenditures of money get related to the purposes for which the expenditures were made, such as old-age assistance or care of a patient in a hospital, in order to determine unit costs of service and administration.

The primary data of public welfare statistics appear on the application forms, vouchers, individual report forms, and the case records. That is, they are by-products of determining eligibility and of treatment. They are administrative statistics, although, for special research purposes, additional questions may be asked and answers recorded; and yet these in turn have an ultimate administrative purpose. Only such data are normally collected as seem to be necessary for the administration of the law; the public welfare worker must have certain information in order to make decisions, and he must record this information for future reference in the individual case and for purposes of statistical summary. Much of the information obtained about cases is not quantitative but descriptive; only those items of information which are definable with reasonable precision are statistical. Recording, collection, and tabulation of statistical data are necessary in order to provide a measure of current volume of work, trends in services over a period of time, standards



of service, cost of service, and effectiveness of policies. Opinions regarding these matters may be formed from administrative experience or from a perusal of cases, but concerning some matters a more exact answer to questions is desirable—and statistics, carefully recorded and tabulated, furnish the basis for such an answer.

### COLLECTION AGENCIES

Three levels of government have something to do with the collection of statistics. These are the county, state, and federal governments. In some states certain data are collected by township officers, but this applies chiefly to outdoor poor relief in states which have the township unit of administration. For our purposes we shall be concerned only with the three major levels of government.

**Local.** Statistics originate in an institution or in the local community. Few hospitals, sanatoria, correctional schools, prisons, or local public welfare agencies employ a statistician. Large city agencies are frequently exceptions to this rule, but in the main it holds throughout the country. Yet the data which appear in the publications of state and federal governments were recorded, some by local officials, some by employees of institutions, and some by the local representatives of the state and federal governments. Recipients of public welfare services live in a local community and apply for aid in some local administrative office or court. The compilations of data, which affect the determination of state and federal policies and are often published, are accurate or inaccurate in proportion to the ability of the local officials to get information and record it. Accuracy of information is influenced by the objectivity of the statistical units in use, but, given a set of definitions, it is determined by the quality of work which the local official does. The emphasis upon getting the facts and getting them correctly, which is found in the schools of social work, is a recognition of this elementary principle and should have an effect upon the quality of social statistics as more graduates of the schools find positions in local public welfare agencies.

The importance, in the collection of statistics, of the local public welfare department and of other local persons who make reports, needs more emphasis than it has perhaps received in the past. Two illustrations will serve to indicate how simple facts are often omitted or improperly reported. (1) For a number of years the courts with

juvenile jurisdiction in Indiana have filled out a form for each case and mailed it to the State Probation Commission. In one year in the recent past a large court reported about 200 out of some 700 cases without giving addresses. This was simply negligence, because the form used had space for an address, and the addresses were given in the majority of cases. (2) A research worker, who was studying whooping cough in a certain state, told the writer that in one month there were more deaths from whooping cough than cases of whooping cough reported to the state health agency. Yet whooping cough under the law of that state was a reportable disease. Inaccuracies may sometimes be intentional, but probably most of them are due to carelessness or haste. Some agencies are understaffed and require their workers to carry such heavy case loads that pressure of work prevents careful recording. Statistics are simply quantitative facts, and every member of the staff of a local public welfare agency which reports to a state or federal agency is helping to make the statistical records of the nation. County commissioners, state legislatures, and Congress are asked to vote appropriations on the basis of the records which the local staff worker makes. When this fact is fully appreciated, the responsibility of the local worker for accurate recording becomes clear.

**State.** The state administration has a different responsibility for the collection of statistics. In some states, such as Missouri and Texas, the local public assistance office is a branch of the state department; it is not a county agency. But the local public welfare worker is doing the same things which a member of a county staff would do, and in so far as the collection of statistics is concerned the function of the state department is similar to that of a state-county system. Some local welfare agencies have no state affiliations and are not required to report to a state agency, but this type of welfare organization, even in cases where the agency is exclusively a county agency, is becoming more and more rare. Even the almshouses in most states report a few facts to a state agency, and these outside of New England are peculiarly local institutions. Hence, the state public welfare agency has the responsibility of collecting certain data which have been recorded in the local community.

But if it is the duty of the state agency to collect statistics from the local agency, the state agency has to determine in advance what data should be collected. The law ordinarily does not indicate the statistical details which are to be taken into account, but it author-

izes the state agency to require such reports as may seem necessary for the proper administration of the law. The exact nature of the report is left to the determination of the administrative staff, often after approval by a welfare board. It is common practice for the state department to design an application form for public assistance and to require a copy of each completed application to be filed with the state department. From this form the statistical office gets data concerning applicants. That is, the record of the primary data comes to the state office. These applications are then checked for completeness and examined to determine whether or not the local agency made an award or a recommendation according to law. But other reports will usually be required periodically concerning the active case load. For example, the Indiana regulations required the county departments to file three different reports each month in 1938 concerning old-age assistance: DPW Form 101, "List of Applications Received This Month"; DPW Form 102, "List of Applications Pending from Previous Month"; and DPW Form 103, "Summary of Applications and of Open Case Load."<sup>1</sup> Form 101 asked for several facts about each case: sex; new or old application, whether previously rejected or award previously made; disposal of application, whether granted, rejected as ineligible, other disposition, or no action taken. The regulations prescribed in minute detail the way in which the application was to be filled out, and terms were carefully defined. Similar reports were required for service to the blind and to dependent children.

Statistics of state institutions appear in commitment papers and in personal information forms which are filled out for each case at the institution. Where these institutions are supervised by a state department, certain detailed information is reported to the department which compiles the data. The institutions in some states are still responsible directly to the governor and make reports to him. Where this is the case, the reports are likely to be in summary form.

Vital statistics are usually collected by the state health agency. They include statistics of births, deaths, marriages, divorces, and communicable diseases. Where they are collected, as they are in all states for deaths, a separate certificate is filled out by a local official or physician for each case. Birth certificates record such matters as sex, race, nationality, place of birth, residence of the parents, and

<sup>1</sup> *Preliminary and Tentative Statistical Manual*, Section I, State Department of Public Welfare, December 1, 1937, p. 1.

date of birth. Death certificates include, of course, the diagnosis of the cause of death and certain other information. Marriages and divorces are reasonably well reported, but the reports of communicable diseases, especially venereal diseases, are less complete.

**Federal.** The United States government is the greatest collector of statistics in the world, and since the Social Security Act went into operation it has probably become the largest agency in the world for the collection and analysis of social statistics. In this field the magnitude of its task probably exceeds that of the governments of Great Britain and Germany, because of the size of the population and the variety of services in which it participates. The federal government collects both primary and secondary statistics. For the services which it administers directly it has the primary records, but for the federal-state services it receives summary compilations from the states. The most important collection agencies are the Bureau of the Census and the Federal Security Agency, although the Department of Labor, if social-economic statistics are considered, is a close third.

While the Central Statistical Board collected no statistics itself, its prestige as an advisory body greatly affected the collecting procedure of the administrative departments and agencies of the national government. The board was attached to the Bureau of the Budget, which is an adjunct of the President's office. Its membership, early in 1939, consisted of a chairman, as the executive head, and representatives of the Department of Labor, Social Security Board, Tariff Commission, Department of Agriculture, Federal Housing Administration, Works Progress Administration, Board of Governors of the Federal Reserve Bank, Department of the Treasury, Department of the Interior, Department of Commerce, Federal Power Commission, and American Statistical Association.<sup>1</sup> The chief function of the board was to study the federal organization for the collection of statistics and to advise the President regarding ways of removing or preventing duplication of collection by different agencies of the government and of increasing the efficiency of the collecting machinery. The volume of statistics collected *annually*—i.e., not including the vast periodic collections made by the Bureau of the Census—by various agencies of the federal government was summarized in two tables which are reproduced here.

<sup>1</sup> This was the membership January 10, 1939. *Report of the Central Statistical Board*, House Document No. 27, 76th Congress, 1st Session, p. ii.

Table 42 shows the numbers of various administrative returns, that is, reports used by the collecting agencies to administer laws or regulations affecting individual respondents or their employees—a

TABLE 42  
ADMINISTRATIVE RETURNS TO THE FEDERAL GOVERNMENT,  
FISCAL YEAR 1938<sup>1</sup>

	NUMBER OF RE- TURNS IN MILLIONS	PER CENT OF TOTAL
All administrative returns	97.5	100
Returns to Bureau of Internal Revenue and to Customs Bureau (excluding regulatory re- turns and all social security returns)	16.8	17
Income tax and informational returns	10.3	10
Customs declarations	4.6	5
Other Bureau of Internal Revenue returns	1.9	2
United States Employment Service	11.5	12
Social Security program	30.7	32
Employer applications for identification numbers	.8	1
Employee applications for account numbers	10.0	10
Tax and informational returns	18.0	19
All other returns	1.9	2
Reports by regulated enterprises to regulating Agencies, including the regulatory services of Bureau of Internal Revenue	10.6	11
Farm returns not included above	17.6	18
Applications	6.7	7
Other	10.9	11
All other administrative returns	10.3	10

grand total of about 97,500,000 individual returns in one year. Table 43 shows the corresponding numbers—totaling about 38,200,000—of other individual returns, *i.e.*, nonadministrative, in the same year. A “return” is a report of an individual or enterprise to the government on a form supplied by the government. It will be noticed that almost a third of all the administrative returns

<sup>1</sup> *Report of the Central Statistical Board*, House Document No. 27, 76th Congress, 1st Session, p. 8.

(Table 42) were incidental to the administration of the social security program. Public welfare workers are interested also in the returns of the United States Employment Service and some of the farm returns. Considering all the administrative returns, it is probable that about half of them have a direct or indirect interest to public welfare workers. The nonadministrative returns (Table 43)

TABLE 43  
NONADMINISTRATIVE RETURNS TO THE FEDERAL GOVERNMENT,  
FISCAL YEAR 1938<sup>1</sup>

	NUMBER OF RETURNS IN MILLIONS	PER CENT OF TOTAL
All nonadministrative returns	38.2	100
Census of Unemployment	12.0	31
Bureau of the Census:		
Birth, death, stillbirth transcripts	4.1	11
Other returns	.9	2
Bureau of Labor Statistics	1.8	5
Bureau of Agricultural Economics	4.1	11
Shippers' Export declarations	3.8	10
United States Employment Service	7.8	20
All other nonadministrative returns	3.7	10

have an equally large interest to the public welfare field, for even a larger proportion of them belong in the category of social statistics or social-economic statistics. These returns form an important part of the informational basis for judgments regarding public policy.

The Reorganization Act of 1939, passed by Congress and signed by the President, transferred the Central Statistical Board to the Bureau of the Budget, where it became the Division of Statistical Standards.<sup>2</sup> Much of what the Central Statistical Board planned has been put into effect through the years by the Division of Statistical Standards. The Federal Reports Act in 1942 facilitated the reorganization of the statistical work of the federal government and increased the power of the Bureau of the Budget to determine and enforce standards.<sup>3</sup> This has been very important for the public welfare services during this period of rapid expansion.

<sup>1</sup> *Op. cit.*, p. 9.

<sup>2</sup> Letter to the author from Stuart A. Rice, Assistant Director of the Bureau of the Budget, March 9, 1949.

<sup>3</sup> Public Law 831, 77th Congress.

The secondary data which come to the federal government are collected by state or local governments but are compiled in summary form before being forwarded to the appropriate federal agency. Large masses of such data are compiled by state public assistance agencies, state unemployment compensation agencies, state employment services, and penal and eleemosynary institutions. These data are forwarded to the Bureau of the Census, the Federal Security Agency, and the Departments of Labor, Justice, and the Treasury. A number of other, minor, federal agencies collect certain statistics that are of interest to public welfare workers, but those mentioned collect all but a small percentage of such data.

The question of whether the federal government should collect the original data regarding a particular service or problem is not simple. If the federal government administers a service, such as old-age and survivors insurance or the federal prisons, it is obvious that administrative statistics are a practical necessity. It is equally clear that if administration is on a federal-state basis the state must have the primary records for routine administration. Consequently, the decision to organize a program as federal or federal-state determines who should collect the original administrative statistics. If administration as well as policy making is increasingly centralized in the federal government, the collection of administrative statistics will be more and more a federal task. The situation regarding nonadministrative statistics is somewhat different, but not entirely so. A governmental unit collects for research purposes such data as are directed toward policy making. The executive branch of the federal government must furnish Congress with a large proportion of the information which is needed as a basis for legislative decisions. This information is needed for legislation which establishes or modifies either a federal program or a federal-state program. On the other hand, in all matters pertaining to the "health, safety, morals, and general welfare" of the people the states have large responsibilities which have been imposed both by legislation and by decades of court decisions. It seems unquestionably desirable that the federal government determine social policies to a much larger degree than it had done prior to the last two decades, but this is not the same thing as federal administration. State administration in cooperation with the federal government undoubtedly enhances the importance of the states and encourages greater participation of citizens in governmental processes than does straight federal ad-

ministration, while it permits the formulation of policies on a national basis by Congress. If our basic national policy is to have a federal system in which the states are real governmental units in contrast to a national system in which the states are mere geographical expressions, then it may reasonably be presumed that many of the nonadministrative statistics should be collected by the states, compiled, and forwarded to the appropriate federal agency, in order to encourage local use of local information.

#### PROBLEM OF COMPARABILITY

Figures in print have been invested with a prestige value which tends to induce uncritical acceptance. The public welfare worker, no less than the public, should develop a healthy skepticism regarding published statistics. They are not all of equal validity, even though they appear in the respectable volumes of the United States Census or the publications of the Federal Security Agency. Some facts have been carefully ascertained and recorded; others are less easily definable and are not, sometimes cannot be, as precisely determined. Such difficulties are magnified when data are collected under state laws which differ in important respects; the data may be far from comparable.

**Public Assistance Statistics.** Old-age assistance, as authorized by the Social Security Act, is being paid in all states. Each month the Federal Security Agency publishes statistics on recipients, but in certain respects the statistics of states have not been comparable. It is of interest to compare the ratio of recipients of old-age assistance to persons of that age group in different states, and this is done in the *Social Security Bulletin*.<sup>1</sup> In July, 1939, Missouri, New Hampshire, and Pennsylvania paid assistance only to needy persons over 70 years of age, while all other states (except Colorado, which paid at age 60 or above) were paying assistance to needy persons who had passed age 65. The published rates for these three states are based upon the number of persons over 65 years of age in the population. The effect of this is to show New Hampshire as paying to a much smaller proportion of its aged population than the other New England states; in fact, the New Hampshire rate as so reported was only a little more than half as high as that of the next lowest New England state. But persons 65 to 70 years old in New Hampshire in 1939 were not eligible for assistance, however needy

<sup>1</sup> Vol. 2, September, 1939, p. 55.



they might be. If the New Hampshire rate were based upon the number of persons of age 70 and over, it would be much higher. That is, under its law New Hampshire was probably paying assistance to a rather large proportion of its inhabitants defined as aged, but it defined aged differently from the other New England states. In setting the minimum age so high the state legislature may have been pinching the public pennies, but that is another matter. The fact remains that the New Hampshire rate and the rates for other New England states did not mean the same thing. This is an illustration of incomparability of rather simple statistical facts.

Blindness is a trait which may be measured with a high degree of accuracy, although blindness for one occupation might exist in the case of a percentage of vision which would not be incapacitating for another occupation. The laws relating to blind assistance, with variation in phrasing, usually state that to qualify as blind "vision is so defective with correcting glasses as to prevent performance of ordinary duties," and presumably "ordinary duties" include usual occupation. This is an occupational concept of blindness and is, therefore, qualitative. The ophthalmologist determines the percentage of vision, but the acceptance or rejection of an application for blind assistance is based upon the opinion of the social worker regarding the ability of the individual with that amount of vision to carry on his ordinary duties. Social workers considering the same applicants would differ in their opinions regarding marginal cases; they would be influenced by a different appraisal of the facts and swayed by their inclination or disinclination to be generous toward the blind. A few states define blindness strictly in terms of percentage of vision, but California defines compensable blindness as "loss or impairment of eyesight to the extent that applicant is unable to provide himself with necessities of life." "Ordinary duties" in the majority of laws is a broader term than ability "to provide himself with the necessities of life." Hence the California statistics may not be comparable with those of other states, if the purpose is to determine the relative amount of compensable blindness which exists among the states.

A similar lack of comparability exists in the statistics of aid to dependent children. The state rates were expressed as the ratio of children under a given age receiving aid to the total estimated number of children under 16 years of age in each state.<sup>1</sup> But four states

<sup>1</sup> *Ibid.*, p. 56.

were paying aid to dependent children up to the 18th birthday, and two stopped payments at age 14.<sup>1</sup> All other states normally stop payments at age 16, though a few may extend payments for two more years. The rates as published, then, are not comparable between these four groups of states. This is not a very serious matter, because exact comparisons will rarely need to be made, but it suffices to indicate how small variations in laws may affect comparability of both data and computations based upon data.

**Crime.** One more field of social statistics may be cited where comparability is difficult, and that is crime. The United States Bureau of the Census collects statistics of prisoners in prisons and reformatories, and of courts having criminal jurisdiction. When prisoners are released from an institution, they are discharged, given a conditional discharge, paroled, or pardoned. Those are counted and reported, but some states show a much higher proportion of releases during the year than others. According to the census report for the year 1944, the number of prisoners released in Maryland that year amounted to 68.5 per cent of those who remained at the close of the year, whereas in California the corresponding figure was only 42.1.<sup>2</sup> Does this mean lighter sentences in California? Is the higher figure due to parole within a shorter period after sentence begins? Are the crimes committed in Maryland less serious than those committed in California? An examination of Table 40 of the report indicates that the answer to the last question must be in the negative.<sup>3</sup> The probability is that the difference could be explained on the basis of differences in the laws regarding crime and the differences in policies of release. A release in California does not mean the same thing that it does in Maryland, but the statistics do not reveal the nature of the difference.

The statistics of offenses for which persons are sentenced present great difficulties for interpretation. Courts permit in many cases a plea of guilty to a less serious offense than was actually committed. For example, a man may be charged with first-degree murder, but on the suggestion that he plead guilty to manslaughter, which carries a lighter sentence, he may do so, and the judge may accept the plea. In the records he is listed as guilty of manslaughter. A charge of burglary may be changed to a charge of larceny. Such changes are

<sup>1</sup> Robert C. Lowe, *State Public Welfare Legislation*, pp. 132-135.

<sup>2</sup> *Prisoners in State and Federal Prisons and Reformatories, 1944*, U. S. Bureau of the Census, 1946, pp. 12, 13.

<sup>3</sup> *Ibid.*, p. 58.

frequently made in the case of young first offenders. The proportion of cases dismissed without conviction varies in different states. In 1945 the Rhode Island courts convicted 457 out of 482 persons charged with major offenses, whereas the Texas courts convicted 3,546 out of 6,086.<sup>1</sup> These divergencies raise serious doubt as to whether convictions for crime constitute an index of the volume of crime, and hence it would not be sound to conclude from a consideration of sentences for various major crimes that Texas has more crime than Rhode Island. The exact meaning of these statistics could not be extracted without considerable research. Aside from the differences in sentencing practices of courts, there are important differences in the definition of what constitutes a given crime in the several states. This is especially true of certain crimes against property, which include more than half of the crimes reported by the Bureau of the Census. Improvement in the comparability of statistics of crime has been made, but reasonable adequacy waits not only upon uniform terminology and definitions but also upon greater simplicity among state criminal laws and court practices.

#### TABULATION AND PUBLICATION

The statistical data on each original form are used in the first instance as a means of understanding, diagnosing, and making a decision about a case, but they must be tabulated in order to analyze general problems related to policy. Certain data are published for the use of professional people and as a means of informing the public of the work of the agency. In connection with tabulation and publication two important administrative questions have to be answered: first, what should be tabulated and published, and second, who should tabulate and publish welfare statistics?

**What Should Be Tabulated.** The answer to the question, What should be tabulated, depends upon a decision concerning the uses of the data to be made. Funds available also affect the amount of tabulation that is done, because it is expensive to tabulate large quantities of statistics, and the budget for statistical purposes is usually small at best. More detailed information will be needed for research purposes than for public information. The public is interested in the volume of work done, the changing case load, the move-

<sup>1</sup> *Judicial Criminal Statistics, 1945*, U. S. Bureau of the Census, Feb. 21, 1947. Computations are based upon data in Table 1.

ment of population in an institution, demographic characteristics of clients and patients, and costs of services. In addition to these general facts, there are a few particular facts about recipients of public assistance, patients of a hospital for the insane, children in foster homes, and prisoners, which are peculiar to the particular group and in which the public has an interest. The staff of the agency is concerned with specific problems of policy, administrative procedure, and methods of treatment. More detailed information and cross tabulations may be necessary to throw light on some of these problems. Obviously the public is interested in success or failure of treatment, and if by case and statistical analysis the staff can measure the effectiveness of treatment, it is not only the right of the public to have the information but it is good public relations technique to see that the public is so informed. Consequently, the kind and amount of data to be tabulated and published depend upon the funds available to pay the cost of personnel and equipment and upon the use to which the statistics will be put.

**Who Should Tabulate and Publish.** Who should tabulate and publish statistics? The local agency? The state department? The federal agency? Data which are collected in connection with a local service without outside affiliations are tabulated and published, if at all, by the local agency. Likewise, statistics of services administered directly by a state or by the federal government are usually handled by it alone. This is not always true, however, because a state may republish federal statistics because of their interest to citizens of the state, and a federal agency may republish state data occasionally in order to give them wider circulation. A state may want to compare similar data from other states. States publish institutional statistics, but for several types of institutions the federal government assembles these data for all the states and publishes them. A somewhat different question arises in connection with the publication of statistics of combined federal-state services, such as public assistance, certain child welfare services, and unemployment compensation. In those states in which public assistance is administered by county departments of public welfare but supervised by the state and partly financed by the federal government each level of government may publish certain statistics, but these will not always be the same, because of the different interests involved. If large quantities of data have to be tabulated, it is economical to use punch cards and tabulating machines. Rarely does a local agency

have enough work to justify the expense of punching and tabulating machines, although in metropolitan counties it may be economical to use machines. What should be published by which level of government is a practical question in all cases; the answer can be made only on the basis of the cost involved and the importance of the use to which the data may be put.

**Form of Tables.** The final result of the process of tabulation is a statistical table. This table may be simple or complex. The forms of tables used by the United States Bureau of the Census and by the Social Security Board are models of good table construction because of their skillful use of titles, captions, subcaptions, stubs, and rulings. Tables are for general purposes or special purposes. The general-purpose table is a repository for information which may be used by many different people with a variety of interests. The tables in the population volumes of the United States Census are good illustrations of this kind of table. The stub, or vertical column on the extreme left of the table, is ordinarily in terms of geographical area or a numerical class-interval. If the stub consists only of a list of states and certain statistics for each state are given in the line to the right of the name of the state, a distribution of the data by smaller areas, such as counties, cities, or census tracts within cities, cannot be made. If the tabulation is by counties in states, then state and national summaries may be obtained. Hence it is important to consider carefully the geographical unit to be used and to tabulate the data accordingly; the smallest geographical unit which is likely to be needed for the study of a problem or the information of the public should be used. Likewise, in the construction of frequency tables the class-interval should be as small as will ever be needed; small class-intervals can be grouped into larger ones, but large ones cannot be subdivided without recounting the original data by hand or with a machine. In metropolitan areas it has been found useful for research purposes to tabulate, if not publish, data by census tracts. State agencies publish many series of data by counties, and the federal government publishes almost all social statistics by states and in many instances by counties.

#### SOCIAL STATISTICIANS

The number of statisticians in the public social services increased rapidly during the decade of the 1930's. For convenience we may

refer to these persons as social statisticians to distinguish them from statisticians engaged in other kinds of work. A social statistician in any but a formal sense is a person who knows not only the mathematical methods which are the tools of the statistician's trade but who also knows the field of social administration. For purely administrative purposes only a small number of social statisticians are needed in the country, but additional numbers are required to do research, and this function is likely to expand in the future. While this question has interested administrators particularly because of the difficulty they have found in recruiting statisticians with the right training and experience, it is not known exactly how many persons occupy such positions in the country or what the annual turnover is. Because of the relation of statistics to the modification and extension of policies, it is of more than ordinary importance that there should be an adequate number of competent social statisticians available.

TABLE 44  
TENTATIVE ESTIMATE OF THE NUMBER OF STATISTICAL POSITIONS IN  
THE PUBLIC SOCIAL SERVICES, 1939 <sup>1</sup>

TYPE OF SERVICE	NUMBER OF STATISTI- CIANS	NUMBER OF STATISTICAL CLERKS
Total	564	1,671
Social Security Board	74	43 <sup>2</sup>
Workmen's Compensation	106	237
Unemployment Compensation and Em- ployment Service	100	500
Railroad Retirement Board	23	22
State Public Assistance	99	364
Other State Services	39	91
Local Public Assistance	15	...
Local Direct Relief	42	210
Works Progress Administration	56	174
U. S. Children's Bureau	10	30

Because of the practical importance of statistical personnel, the Committee on Accounting and Statistics of the National Conference of Social Work undertook to secure an estimate of the number of

<sup>1</sup> "Statistical Positions in the Public Social Services," a report by R. Clyde White to the Committee, June 24, 1939.

<sup>2</sup> The Bureau of Old-Age and Survivors Insurance seemed to classify a considerable number of persons as statistical clerks who are not included in this figure.

statistical positions in the public social services of the country early in 1939. Statistical workers were divided into two groups: (1) statisticians, persons who have had technical training and regard themselves as statisticians, and (2) statistical clerks, persons who do simple statistical work but have not had any considerable training in statistics. This is a rough differentiation and has only limited usefulness, but for what it was worth the estimate was made on this basis, and Table 44 indicates the results of the survey.

The federal agencies employ about as many statisticians as the state and local agencies together.<sup>1</sup> That is due in large measure to the extensive statistical research which is carried on by federal agencies. About three statistical clerks are required for each statistician. Many of the present statistical workers came into social administration from other fields and have had to learn the special duties of their new positions by trial and error. As more properly trained statisticians come into the public social services, the quality of the statistical work will improve, and more uses, especially in the state and local agencies, will be found for statistics.

### QUESTIONS

1. What items would you list as social statistics in distinction from financial statistics?
2. Of what use are statistics to a public welfare agency?
3. Why should all social workers have some knowledge of statistics and statistical methods?
4. Make a list of publications containing social statistics which social workers might at times find useful, and give your reasons for thinking these would be useful.
5. Discuss the difficulties of obtaining comparable statistics of public assistance.
6. What questions would you raise about the comparability of statistics of the insane?
7. What public welfare statistics collected in your county should be published (1) by the county agency and (2) by the state agency?
8. Examine the statistical tables published by your state department of public welfare and give a critical opinion concerning the geographical areas and the numerical class-intervals used.

<sup>1</sup> Unemployment compensation is regarded here as a federal agency, because the federal government pays the entire administrative cost.

## CHAPTER XXVII

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### SOCIAL RESEARCH

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Research is a systematic effort to answer a question through the investigation and analysis of facts and their interrelationship. It implies a scientific attitude and the use of scientific method. This is not to assume that research workers, as well as all other people, do not have prejudices and vested interests in the existing social order or some idea of a new social order. As human beings, living in families and communities, they acquire preferences in the natural course of growth and experience, but a reliable researcher is someone who recognizes his tendency to bias regarding any subject, discounts the bias as much as possible, and organizes a plan of investigation which in its structure and necessary procedure is relatively unaffected by the bias of the worker.

This definition of research distinguishes it from recording, tabulating, and publishing data. Tabulation of data involves some previous analysis of the mass of facts and a classification according to similarities and differences. The mere construction of a frequency table may answer some questions. The taking of a case history answers certain simple questions and raises others which are not answered. The casual observation of the administrative organization of a public welfare agency by an experienced person may result in certain inferences regarding its suitability. These activities may be the preliminary steps in setting up or carrying out a research project, but they are less rigorous and single-minded than the research plan. Furthermore, they may be incidental to administration and have no reference to further study. A project for research implies the statement of a question, the answer to which is found by analyzing a variety of facts that are assumed to be related to the issue. Facts which are recorded in case histories and on administrative forms are of first-rate importance in public welfare research, but they may be recorded and filed without further study of them.



Research in a social service agency may differ in aim and scope from that which is done by a separate agency organized exclusively for research purposes. For convenience, we may speak of research under the auspices of a social service agency as administrative research, and research done by an independent agency which has no responsibility for service to persons, as research in the interest of science. The latter is "scientific" in a special sense only in that it is alleged to be a search for "truth" and is presumably less subject to bias created by the drive to prove something with which one has emotional involvements. But there is no guarantee that research done by a nonadministrative agency will be free from bias; so-called research agencies have been set up to prove the desirability of some new social order or of reversion to older forms, or they evade criticism of their basic assumptions; there is nothing "scientific" about the research of such agencies. They are organized because of emotional involvements with ideas or because of some egocentric drive. The objectivity of a research organization is determined largely by its purpose and the scientific qualifications of its staff, but it is strongly affected by the degree of freedom to search which the administrator permits. Perhaps it is safe to make two general statements about research agencies: (1) concerning technical matters the research work of an administrative agency is likely to be more objective and competent than that of an independent agency, but (2) when matters of policy and theory are under consideration, a good independent agency may be more objective and competent than an administrative agency. If these propositions are true, the first one is an argument for research by administrative agencies, when it is free, as a means of maintaining or improving the quality of service under the existing law, and the second one is an argument for the permanent support of private social research agencies for systematic, organized criticism of theory and policy.

#### RESEARCH AGENCIES

Existing social research which has some direct bearing upon social administration is carried on by governmental agencies, independent private research agencies, and universities. Universities are mentioned in distinction from other private organizations because of their reputation for loyalty to objective methods of research, although it would be rash to call everything that comes out of a university objective. Their faculties are made up of persons doing

research in the physical and biological sciences, where personal bias is reduced to a minimum, as well as persons doing social research, and there is a certain amount of cross-fertilization of attitudes going on. Some of the work of these three types of organization will be described.

It cannot be too strongly emphasized that the auspices under which a piece of research is done do not guarantee that it will be good research. The ability of the researcher, his access to pertinent data, and his freedom to work unhindered by controls irrelevant to the pursuit of knowledge determine the quality of work done. These conditions may exist in a government department, or they may not; they may exist in a private research agency, or they may not. If the administrator of an operating department insists upon having the validity of certain policies demonstrated, irrespective of the facts, then that sort of work is not worthy of the name of research. The same principle holds for board or executive domination in a private research agency. One should hold a suspended judgment regarding the value of any piece of research if sufficient data, on which the results are based, are not published along with the results to permit competent outsiders to examine both the method and the data to determine their adequacy for the conclusions reached. Opportunity for free criticism is the best safeguard against slipshod or biased research.

**Governmental Agencies.** The agencies of the federal government engage in more and larger research activities than the other levels of government, although the state agencies do some important work of this sort and occasionally something of value is done by county and city agencies. A few studies by large agencies in metropolitan areas have appeal to a larger audience than the immediate community, because funds have been available for the employment of high-grade personnel.

Research under the direction of a local agency is almost exclusively for the purpose of investigating the effects of a local policy or of measuring the efficiency of an administrative device. During the depression of the 1930's many local studies were made to determine the relative adequacy of relief budgets, and some of these took the form of extensive medical examinations of clients to determine whether there was undernourishment or malnutrition. The condition of the houses in which clients live has been the subject of studies in most of the large cities. Many of these studies are published only

in mimeographed form, and some of them result only in a few typewritten pages which are passed around among the members of the staff and the board. That fact, however, is no reflection upon the usefulness of such administrative studies. A highly competent study of some problem in a local agency may serve its purpose without publication. On the other hand, a demonstration or analysis of records may have more general interest as a basis of local public opinion or as a contribution to the technical literature of public welfare administration.

The report of a demonstration conducted by the Chicago Relief Administration, in co-operation with the Illinois Council on Public Assistance and Employment and the Illinois Emergency Relief Commission, is a case in point. As stated in the report, published by the American Public Welfare Association,<sup>1</sup> ". . . the Chicago Relief Administration conducted an experiment from February, 1938 through April, 1938 to discover what could be accomplished by a single district office, serving as a demonstration unit, with regard to more thorough investigations, reduced relief costs, and better services to relief recipients and the community, when given a larger staff with reduced case loads, closer supervision, better floor plans, procedures, and equipment." While this demonstration was well organized and had a general relation to personnel problems outside of as well as in Chicago, it should not be assumed that all studies must have such a wide interest or that they should be published. Local research is desirable whenever it serves the purposes of the agency.

Almost all state departments of public welfare, of institutions, or of public assistance have divisions of statistics. Some of these divisions have a larger title, "division of statistics and research," or, when there is a division of general administration or business management in a department, the statistics unit may be a section instead of a division. The statistics unit or the statistics and research unit is responsible for the tabulation of data from records, making analyses, and preparing the results for circulation to the staff or for publication. It is the business of the staff of such a unit to engage in as much research activity as administrative duties permit. But by no means all the research of the department is done by the staff of the research unit. This staff does the continuous research of the agency, but special problems arise which require study. If such

<sup>1</sup> *Adequate Staff Brings Economy*, 1939, p. 1.

problems are highly specialized or involve analysis of cases and administrative organization and procedure, some competent person in the operating division concerned may be able to do the study better, or it may be desirable, as a means of increasing objectivity and of creating public confidence, to employ some outside person temporarily to direct the study or to act as consultant on a part-time basis. However, as a means of integrating like activities, the research unit should have some relation to the conduct of the study. That, of course, implies that the function of research in public welfare administration has been understood and that a director of research with broad training and experience heads the research unit. He should know the field of public welfare administration, and he should know how to plan and with competent technical assistance carry on a study of any problem which arises in the agency.

In a large department of public welfare, such as that in Illinois, research may be decentralized, although a general statistical division remains. Research in the treatment and prevention of delinquency in the Illinois Department of Public Welfare is centered in the Institute for Juvenile Research, which is under the general direction of the State Criminologist of the department. Research in the field of mental diseases is often conducted through a state psychiatric institute; Illinois and New York have ambitious programs of this kind. Under the Illinois plan these separate research activities are co-ordinated only through the director of the department, and the result is little real integration either of plans or of personnel. The Indiana Department of Public Welfare seems to achieve a higher degree of integration of research activity; the head of the Section on Statistics of the Division of General Administration assists in the planning and carrying on of studies made in the interest of the several operating divisions. Within the recent past such studies have been planned and conducted in co-operation with the Children's Division and with the Division of Correction; the project of the Children's Division was an investigation of maternity hospitals and homes for the purpose of improving standards for licensing, and the study with the Division of Correction was a sort of over-all survey of the care of the adult offender in Indiana. It is unquestionably desirable to have the personnel of operating divisions, as well as the staff units, participate in research, and the integration of all research activity through a research unit probably contributes to efficient performance and utilization of results.

Social research by federal agencies is decentralized in accordance with the distribution of welfare functions among the departments and agencies of the executive branch of the government. The Children's Bureau began primarily as a research agency for the study of all kinds of problems of children. It has continued that function, but has acquired extensive administrative duties in recent years. The Bureau of Prisons in the Department of Justice does research in the field of crime and penology. A Division of Research in the WPA has made many important studies of social problems related to the need for relief, and some administrative studies. One of the most generally useful administrative studies which it has published was *State Public Welfare Legislation* as it existed in 1938; while this study was concerned mainly with public assistance, a description of the general public welfare organization in each state is outlined. If the Federal Security Agency develops into a federal department of public welfare, some integration of social research may be effected through it. At present all its constituent agencies have their own research units, the Division of Research and Statistics of the Social Security Administration exercising the most extensive responsibilities. There is even more reason for a federal research agency to be organized as a staff unit with lines of contact running to all operating units than there is need for similar state or local research units, because the bulk of the data are collected by the federal operating units which are in touch with administrative processes in connection with which problems arise and are defined for study.

Whether or not in an agency such as the Federal Security Agency a general research organization could be set up to serve all the constituent agencies is partly a question of optimum of size of such an organization and partly a matter of keeping research activity in close contact with the operating agencies. While much of the research in federal agencies is directly related to administration, some of it deals with basic human problems. The great new research institutes in the United States Public Health Service are examples. At present there are the Microbiological Institute, the National Heart Institute, the National Cancer Institute, the Laboratory of Physical Biology, and the Experimental Biology and Medicine Institute.<sup>1</sup> If this leads to a decision to establish separate research units in each major unit of the Federal Security Agency or other department, some provision

<sup>1</sup> Chart D-2, August 15, 1948, by the Federal Security Agency.

should be made for co-ordinating the work of all the research units, because they are engaged in the study of problems which converge upon individual human beings. The same human being may be the object of study from several viewpoints by several different research units. If integration of social research organization is impracticable at the federal level, co-ordination may be the way to avoid duplication and conflict and to maximize the use of the results of research.

**Private Research Agencies.** Many private research organizations exist in the large cities. Some of them limit their activities to the cities in which they are located, but others engage in studies which have national interest. The private research agency has usually come into existence because a group of citizens or, in a few cases, a single citizen, has felt the need of knowing more about some social problem or social service than is known, or has thought that factual criticism unrestricted by the vested interests of an administrative agency would be in the interest of social welfare. Such private agencies may have "axes to grind" or may represent a special philosophical viewpoint. In any case they are devices for assembling facts and for criticism and are characteristic of a democratic social order. If they are motivated by some bias, the bias is probably different from that of the public welfare agencies or the private social agencies, and the effect of their work is probably to reveal both biases and to contribute to a better understanding of social problems and social administration.

Some 300 cities of the country have councils of social agencies. These councils are commonly referred to as "planning agencies," but one of their functions is often research. They operate by conference to eliminate conflict and to promote effective co-operation. Often before a plan of co-operation can be agreed upon, it is necessary to carry on an extended study of the problems involved. The membership of a council of social agencies is composed of representatives of the public and private social agencies in the community, and the council activities are financed by private contributions. The kind of a staff and the defined functions of the particular council determine the quality and amount of social research which is done. If good work is done, the results may affect public opinion regarding the conduct of both public and private social services in the community. Council research is ordinarily limited in its objectives to the community in which the council is located, but it may have

wider implications. Such wider implications of council studies are illustrated by the numerous local studies of relief problems in the early part of the depression. The cumulative effect of these studies undoubtedly influenced the movement toward federal participation in relief services. However, the routine research of a council of social agencies is of use chiefly in the community in which it is done.

A new departure in research conducted by either public or private social agencies is that represented by the Institute of Welfare Research of the New York Community Service Society.<sup>1</sup> This Institute, organized and maintained by a large private social case-work agency, is engaged exclusively in basic research. Since 1946 attention has been directed chiefly to the development of clearly defined terminology and the use of this terminology in the identification of "movement" in cases. The findings of this Institute with regard to the methods, processes, and achievements of social case work will have value for public welfare administration everywhere.

During the last two decades a number of national research organizations have appeared. Among these may be mentioned the Social Science Research Council, financed by the Rockefeller Foundation, the Russell Sage Foundation, endowed by Mrs. Russell Sage, and the Twentieth Century Fund, financed by the late Edward A. Filene. The Social Science Research Council usually decides upon a study to be made, allocates funds for it, and then appoints a committee to supervise the study. This sort of organization for research has two advantages of importance: it has ample funds available for the work it undertakes, which makes possible the best staff obtainable, and it is disinterested in so far as local issues and personalities are concerned. From the viewpoint of getting the results of research used to improve services or administration, this kind of organization suffers from its detachment, but this is partly offset by the fact that its work has considerable prestige and enters into the thinking and often into the planning of leaders in public welfare services.

**University Research.** In the universities, social research that is related to the public social services is done by faculty and students. This kind of research is presumed to have the special virtue of objectivity. Much of it is done in endowed universities and is, strictly speaking, private research, but even that which is done in state

<sup>1</sup> Dr. J. McVicker Hunt is Director of the Institute.

universities has much the same detachment as is characteristic of the research foundation. Often it is done in co-operation with a service agency which wants some problem studied but lacks the facilities for doing it; in such cases it may become the basis of policy or a guide to administrative adjustments. Members of a university faculty are engaged in more or less research continuously in fields of their special interest, and students working for advanced degrees are usually required to write a thesis or dissertation which involves more or less research.

Some of the work of members of social science departments has a bearing on social administration, but it is more likely to be related to problems encountered by social workers and is generally descriptive rather than technical in nature. Studies by sociologists and psychologists may contain material related to case-work methods, and some sociological studies are concerned with group behavior and community organization. The contributions of economics departments to social administration are concerned with standards of living, labor relations, and public finance. Departments of political science make studies in public administration and governmental organization which are useful to public welfare workers and sometimes specifically related to the field of public welfare administration.

But the research which approaches the technical character of administrative research is largely done in the schools of social work. Almost all the students in these schools have graduated from college before registering for professional training and do limited pieces of research as part of the requirements for a higher degree. Of course, the research which a student does is undertaken first of all to give him training in methods of research and only incidentally to answer a practical question which some social agency wants to have answered. If the two interests happen to be parallel, then the agency receives a service and the student has the feeling of participating in a real enterprise rather than merely in an exercise. A certain amount of research in which members of the faculty are interested is so planned that students may participate and in this way contribute to the answer of a larger question. A few of the schools of social work have published many reports and books in order to make their research work available to students and social workers. Those schools which are the most widely known for the publication of results of research work are the New York School of Social Work, the Pennsylvania School of Social Work, and the School of Social



Service Administration of the University of Chicago. The New York and the Pennsylvania schools have emphasized case work with a psychiatric slant.

However, research will not be a major part of the social work enterprise of universities until it is planned and budgeted along with teaching. Just as in the schools of medicine, education, and business, some members of the faculty should have research as their main business, and research laboratories and institutes will have to be created which give visible evidence of the search for truth and the criticism of practice. A step in this direction was taken in 1947 by the administration of Western Reserve University when the School of Applied Social Sciences was authorized to develop a research institute for social work.

#### MEANS OF RESEARCH

Social research requires certain facilities without which both the quality and the quantity of work suffer. Although many great industries have budgets of hundreds of thousands of dollars a year for technological research, because it pays in terms of dividends, the public, as represented by members of legislative bodies, thinks of social research as a luxury. Private social agencies, with notable exceptions, have too often aided and abetted this attitude; the contributors wanted 100 cents of their dollars to get into relief or direct service of some other kind to needy persons. It was assumed that anybody could recognize need and give assistance satisfactorily.

It is still too often true that research has to creep into the public agency budget by the back door. Allowances for statistics in the budget are permitted by legislative bodies, because a compilation of statistics seems to be necessary to guide decisions regarding appropriations; and some research may be done surreptitiously. If the agency has a large budget which permits some transfer of funds from one item to another, necessary research can often be done. But the realization that research is just as indispensable to get 100 cents of value out of a tax dollar as it is to increase the dividends of a corporation is spreading. The psychiatric institutes in a number of states are examples, and the Institute for Juvenile Research of the Illinois Department of Public Welfare is a notable example of reasonably well-financed research work. The Bureau of Research and Statistics of the New York Department of Social Welfare is

rather well financed, and in a somewhat disguised form the Indiana Department of Public Welfare has in fact had considerable money for research since 1936.

If the money is available, the facilities for research can be secured. The federal agencies usually can get appropriations, the state departments less certainly, and the local agencies rarely. Facilities needed for research may be put into three categories: (1) personnel; (2) equipment; and (3) opportunities for publication. Research personnel is difficult to secure, both because persons qualified to do administrative research are not numerous and because salaries have to be reasonably high to attract good people. Equipment in the form of a technical library and statistical machines is indispensable for large undertakings; certain case studies and studies of administrative organization may be carried through without the use of masses of data, but many questions arise in a state department of public welfare or even in a large local agency which can be answered only by the use of quantities of statistical data. To make full use of mass data, calculating machines, punches, and tabulating machines are necessary; they are more reliable than hand labor and in the long run less expensive. It is unnecessary to publish the results of every piece of research, but there are two cogent reasons for publishing the results of all important work: first, it is essential in public relations work, and, second, it should be made available to as many public welfare workers as possible. Voluminous publications are not often warranted, but certain of the data and the essential findings should be published. The fact that social researchers have to write and interpret increases the difficulty in finding research personnel. It is almost as necessary for a social worker to know how to write good English as it is to find significant facts. To be able to write is almost a professional necessity. In the case of the social researcher it is an absolute prerequisite.

#### MATERIALS FOR RESEARCH

The materials for research which are collected routinely or for some special purpose in public welfare agencies have never been fully utilized. For the most part the data which were published in the past consisted of a few facts, such as case count and two or three demographic characteristics. These were distributed by spatial and temporal categories and were quite adequate for the purposes

of the agency. But the original records from which these simple tabulations were made, chiefly without the aid of punch and sorting-machine equipment, could have been used to a much greater extent. Even the brief reports of overseers of the poor to the county auditor in some states contained interesting family data. The recent expansion of public welfare services and the increased interest in research have resulted in the collection of more detailed information than has been obtained before, and the new state departments of public welfare, as well as the federal government, have found the use of statistical machines advantageous.

**Official Records.** Most of the research in public welfare agencies has been and probably will be done with the use of official records. In order to determine eligibility, make a family budget, make a foster-home placement, furlough an insane patient, parole a prisoner, or appoint a new employee, records must be made to show that the law has been observed. Case records have to be kept currently, if the agency is concerned with the rehabilitation of the client and his return to normal community life. Into the case record there is put the kind of material which the social worker regards as legally necessary or thinks will be useful in the course of treatment. Consequently, the problems which can be studied on the basis of these records are first and foremost those which arise directly out of and in the course of the administrative process. Sometimes a theoretical question can be so asked that a study of official records will give an answer or a partial answer, but that will be an accident. The case records of individuals and families are useful mainly for administrative research. They are rarely adequate for thoroughgoing scientific research, because that was not their purpose; this kind of research has to be planned in advance so that important facts, perhaps irrelevant to administration, can be specially recorded.

The decision to study a problem usually is made as a result of experience which involves the problem. During the time the staff of some operating division or the research unit have been learning about the problem, case records have been accumulating, and statistical data have been sorted and tabulated according to some predetermined plan. It is probable that when the decision is made to study the problem, the case records will be found to lack some information and that the tabulated statistics will not be in the most useful form. Perhaps all the data required to answer the

question raised were not obtained in the first place. In that case the study will have to be postponed until the data can be collected by routine recordings. On the other hand, often the research problem does not involve additional data but re-tabulation of data in the original records, which are not routinely tabulated, in such form as to be useful for the study of the special problem. The first tabulations have become secondary data, because they are in frequency distributions and it is impossible to go back behind any one item in such a distribution and examine the original record. The secondary data have routine uses, but they are often unsuited to the study of a special problem. A return to the original records and the primary data is then necessary, and it may be that, if tabulated in the proper form, the data actually are available for the study of the problem.

Case records provide much of the material for statistical analysis, and they provide all of the material for case study. The head of a public welfare research unit is more likely to be a statistician than some other kind of a researcher. This is partly due to the fact that the one holding that position is usually responsible for the collection and tabulation of statistics as his primary job, and partly due to the fact that social research is too often thought of as conterminous with statistical analysis of social data. Most ambitious studies do involve quantitative data, but it may, with equal validity, be said that most of them require judgments about nonquantitative matters. If the problem is to determine the course of development in a group of cases, then the method is genetic, and both objective and subjective factors are relevant. Account must be taken of emotion and the interplay of personalities. Thus, a research project may be formulated and, aside from a few numerical facts, have no need of conventional statistical procedure. Furthermore, case study precedes statistical study, even in a project which is mainly statistical, and statistical studies often lead back to further case study. The isolation of significant factors and the definition of terms which precede the recording of quantitative information depend largely upon careful examination of cases. Every piece of statistical research implies a knowledge of cases or assumptions about cases. Hence, case records are of basic importance in social research.

**Special Data.** Some problems which arise in the course of administration require for their study more and different kinds of data than are routinely collected. Questions about the change of policy

or about the creation of new services almost invariably necessitate the collection of information for the specific purpose. Such information is obtained by the use of questionnaires and schedules. The term "questionnaire" refers to a list of questions which is sent to the person who is to answer them, and he returns the list, after writing his answers, to the investigator. In order to distinguish the method of collecting information, the term "schedule" is used to refer to a list of questions which the investigator carries around and to which he secures answers that he writes down in the course of an interview. A mail-order survey is much less reliable than a personal canvass. Even short questionnaires are thrown into the waste basket by a large proportion of the people who receive them, and the researcher can never be sure that those who return the questionnaires constitute a representative sample of the group to whom they are sent. If the questionnaire is sent only to persons who have something to gain by answering it, the results are much better. A questionnaire can often be framed with a view to introducing the motive of self-interest. A survey conducted by means of interviews to fill out a schedule, if the questions are not flagrantly inquisitorial, usually results in a high percentage of returns. People like to talk, and they like to participate in something which seems important. A moderately skillful interviewer can enlist the interest of the interviewee in his problem and get the answers to questions in his schedule in by far the majority of cases. But surveys by interview are much more expensive than surveys by questionnaire, and the funds available may necessitate making the most of the questionnaire method, although the data which could be obtained in an interview may be more significant.

The problem of sampling arises in connection with most surveys, whether they are conducted with questionnaires or schedules. Rarely is every individual or family in an area included in the study, because of the time and expense which are involved. Some special studies concern only one class of persons in the community, but if this class is numerous, the same problem of time and expense exists. Consequently, in planning special studies for which data do not exist in the files of the agency an attempt must be made to limit the number of returns necessary while at the same time securing enough of the right kind to be representative of the entire population group. If an alphabetical file of the names of all persons in the group is available, it is a simple matter to pull every fifth card or

every twentieth card, according to the percentage of the names needed, and then to seek the required information from this list. If no such file exists, the researcher must make some preliminary and impressionistic study of the group and devise a way to select a sample so that every person in the group has at the beginning of the process an equal chance of being included in the sample. The choice of a sample is never 100-per-cent perfect; it is almost impossible to construct a plan in which pure chance determines the selection of a name or some other fact, and in conducting a survey certain people cannot be found and some refuse to answer. It is difficult to make allowance for these omissions. But there are statistical devices for measuring the amount of error due to chance. These devices can be applied only after the data are obtained and tabulated, but they show the researcher within what limits he can use his results with confidence. Sampling is often used in the study of a problem on the basis of official records, but in such cases the ease of getting a random sample is greatly increased. The special study involving new data, however, must be carefully planned, or the results obtained will not be the true answer to the question raised.

**General Records.** There are certain kinds of records, sometimes useful for research purposes, which we may call general records. These include statutes, legislative bills, rules and regulations, minutes of board and committee meetings, letters, inter-office memoranda, personnel files, ledgers, news reports, special articles in periodicals, official reports, and books. After a period of years a local or state department of public welfare sometimes undertakes to prepare a history of its activities. Such studies reveal the growth of the department and permit an examination of its objectives and methods. They may become the basis of further legislative action. Each type of general record may have had specific administrative use at the time it was made, and it may still have special uses, but as one item in the miscellaneous files of the department it is a part of the general records of the agency and is kept because it helps to make up the picture of the history of the agency or of some aspect of the work of the agency. The general records may have to be consulted in the course of current administrative research. They constitute a reservoir of material to which the research unit may have recourse at any time to amplify the answer to a question or to give perspective to the implications of a particular study. Some of

the general records will be collected and kept in the departmental library, and some of them will be held in the storage files.

**Destruction of Records.** In a large agency records accumulate rapidly. The records of a social insurance or public assistance agency in a few years may have so grown in bulk that they begin to crowd the office space. There are no foolproof rules for discarding old case records, ledgers, and records of social insurance contributions. The researcher is likely to feel that everything should be kept indefinitely because of its possible usefulness at some future time, but the cost of rent and storage leads eventually to some decision to reduce the space occupied by records, and this is accomplished by destroying the records. Perhaps three stages in discarding records may be noted: first, all records are kept as long as they may be needed for the case or administrative process to which they refer; second, a time comes when some selection can be made and certain records discarded; and, third, sufficient time has elapsed to render the detail of records useless, and the essential statistical data can be tabulated and put into tables for permanent skeleton records of what the agency did. If the essential records, which should be kept indefinitely, become too voluminous after a generation or two, microphotography may furnish a solution; large libraries are now using this device to preserve important materials while at the same time conserving storage space. Nevertheless, the problem of destroying or preserving old records is one to which every public welfare agency has to give careful consideration; mechanical rules of discarding materials after a fixed date are not satisfactory, because there is too much risk that certain invaluable and irreplaceable documents may go out with the waste.

### RESEARCH, MORALE, AND EFFICIENCY

Research seems to have values other than those represented by the immediate and specific administrative uses to which its results may be put. Those are obviously important and provide ample justification for the cost of research. But the existence of an atmosphere of inquiry in a public welfare department probably has healthful effects upon the morale and efficiency of the staff. If a small group of people in a research unit are constantly attempting to find answers to questions asked and are frequently asking new questions themselves, the more alert members of the staff, at any rate, are

stimulated and find a certain amount of adventure in the day's work. Such an atmosphere gives the feeling that no questions are finally answered, and it tends to develop thinking about more general questions of policy, causation, and prevention. Complacency, the curse of administration, cannot develop in a department of public welfare where all matters of policy, procedure, and professional method are open to question and discussion among the staff. Public welfare administration becomes a vast human experiment in promoting the well-being of the whole population. It attracts intelligent young people into it and holds them with the sort of fascination that inheres in exploration and adventure. But if the department is going to profit by such an atmosphere, research must be free, and the spirit of research must be communicated to all members of the staff. Neither research nor the spirit of research should be confined to the staff of the research unit; to gain the intangible as well as the tangible benefits of research it should be the aim of the department to diffuse the spirit of research through the entire staff.

### QUESTIONS

1. Distinguish between "scientific" research and administrative research.
2. What research have the local public welfare agencies in your community done during the last five years?
3. Describe the work of the research unit in your state department of public welfare.
4. Is there any research done by your college or university which has a bearing upon social administration?
5. Would you advise prospective social researchers to take as much English composition as possible in college? Why?
6. What statistical machines should students know about and learn to use, if they plan to do research?
7. Obtain the official forms used in connection with old-age assistance or aid to dependent children in your state and discuss their purpose and suitability for the purpose.
8. How could the spirit of inquiry be developed and maintained among the staff of a county department of public welfare?



## CHAPTER XXVIII

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### SPECIAL PROBLEMS IN WELFARE RESEARCH METHODS

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The meager amount of welfare research and the mediocre quality of most of it are in large measure attributable to the uncritical acceptance of tradition and the amorphous ideas of research method. The emotional associations with charity and relief have prevented an objective examination of either the ends to be attained by charity and relief or the means by which the accepted ends were to be achieved. The situation has changed little since charity and relief became social work. In the field of medicine, researchers throughout the world are ranging far and wide in their efforts to find basic knowledge which will aid in the diagnosis, treatment, and prevention of disease. They carry on thousands of new experiments, and they repeat old ones many times to find out what was wrong with method or observation. Tens of millions of dollars go into this kind of research by highly competent investigators. Yet more money is spent for welfare purposes than for direct medical treatment, while no serious appropriation or donation of money is made to improve social diagnosis, social treatment, and social prevention. Few people in either the operating welfare agencies or the universities know much about special methods by which welfare research would become successful. This costs the public large sums of money in wasted welfare funds every year.

In June, 1947, a group of about 40 persons, engaged more or less in research in social work, participated in a workshop on research in social work at Western Reserve University. The purpose of the workshop was to achieve some common understanding of problems in social work requiring study and of methods by which such problems could be profitably studied. One result of the deliberations at the workshop was the classification of the various kinds of research under three main headings: "research for administrative purposes," "research for planning purposes," and "basic research."

The following definitions were developed:<sup>1</sup>

*"Research for Administrative Purposes.* Research which is concerned with administrative problems is sometimes regarded as of a lower order than some other kinds of research, but this is due to the failure to understand the relation of administration to good service. . . . Problems needing study in this area include all those which relate to social and financial accounting, personnel, flow of work, making and implementing policy, public relations, fund raising and appropriations, and other matters related to the dynamics of operation.

*"Research for Planning Purposes.* This kind of research is concerned with questions related to improvement of services to the community and with the development or elimination of agencies. It attempts to define problems and find the means of meeting them. . . . It is apparent that some pieces of research might with accuracy be classified as either administrative or planning and that planning studies are closely related in most instances to administrative interests.

*"Basic Research.* Like the other major areas of research, the concept of 'basic research' is not precisely defined, but it seemed to members of the Workshop that the term refers to a kind of research which is different from that contemplated under the other headings. The belief in and the operation of social work services are based upon assumptions about the nature of social problems and the utility of techniques and methods invented to deal with these problems. Criteria of a philosophical character have been developed for demonstrating the truth of the assumptions. The techniques and methods have been subjected to some critical analysis, chiefly of a philosophical sort but in some measure checked against social and psychological processes observed in cases. To date there has been little rigidly planned effort to test the validity of these assumptions, techniques and methods by the methods of science. . . . It was believed that both the program of social work and the professional skills used by social workers are handicapped by the present lack of extensive basic research."

The nature and varieties of research in social work will ultimately be defined in terms of the research done, but such efforts as these sharpen the wits of research workers.

The purpose of this chapter is to point out some aspects of research method which should claim the attention of those who make public welfare budgets. The principles by which fact and cause-and-

<sup>1</sup> The Workshop was sponsored by the School of Applied Social Sciences of Western Reserve University. Later, in co-operation with the American Association of Social Workers, a report of the Workshop entitled *Research in Social Work* was published. These definitions are given on pp. 7-9 of this publication.

effect relations are discovered are similar in any science or professional field, but research has been most rewarding in both practical and theoretical directions when these general principles have been adapted through experimentation to the special problems of the particular science or professional field. We cannot use the test tube in public welfare research very well, but there is probably some equivalent of the test tube which could be invented by public welfare researchers, if foundations and governments were as willing to support basic research in welfare problems as in medical problems.

### DESIGN OF EXPERIMENTS OR PROJECTS

For about a century the question as to whether experiments can or cannot be conducted in the social sciences has been debated. John Stuart Mill argued that true experiments could not be conducted in the social sciences, and this dictum has created continuous flutter in the dovecotes of the intellectuals from his day to ours. It makes little difference whether a study of some problem is called an experiment or a project. The aim in any case is to acquire verifiable knowledge which aids either in understanding something or in solving a practical problem. If for semantic reasons it is best to restrict the application of the word "experiment" to a situation in which the researcher re-creates a bit of reality under rigidly controlled conditions for the purpose of determining sequence, that should not be disturbing. There may be some pieces of social research formulated in which reality is created for study purposes; but if not, then research in social work or the social sciences requires special methods adapted to the study of the social reality. To call these studies "projects" or "observation designs" instead of "experiments" should not be of more than semantic concern.

What cannot be dispensed with and what is possible in any field of investigation is design. Whether the enterprise is called an "experiment" or a "project," it must have design or plan. There must be a frame of reference within which the specific problem is defined, the relevant factors identified, and the conditions for testing validity and reliability predetermined. From the field of plant breeding, R. A. Fisher cites the clear-cut design set up by Darwin for his experiment to determine the relative superiority of cross-fertilized plants over self-fertilized ones.<sup>1</sup> Long before modern statistical

<sup>1</sup> R. A. Fisher, *The Design of Experiments*, 4th revised edition, Chapter III. Edinburgh: Oliver and Boyd, Ltd., 1947.

methods had been discovered, the excellence of Darwin's design resulted in a successful experiment. The inconclusive results of much research in social work can be traced directly to faulty design.

The elemental aims of research in public welfare work are the same as elsewhere: (1) identification, isolation, and definition of a fact or facts; (2) determination of similarity or difference between two or more facts; and (3) determination of kind and quantity of relationship among facts, including cause and effect.

### PROBLEMS OF CONTROL

In medical, agricultural, or educational research, "controls" are taken for granted. Once a new drug is tested and standardized with animals, it may be ready for human use. It is fairly common practice to have two groups of patients with the same diagnosis, and to give the new drug or other treatment to one group while observing the effects in comparison with the group which did not receive it. If all important factors have been the same for the two groups except the presence or absence of the new drug, differences in responses to treatment are attributed to the new drug. Experimentation with methods of teaching grade school children to read goes on continuously. Generally the new method is tried out with certain classes, and it is not tried out with a corresponding group of classes. At the end of a period of use, identical tests are given to the two groups to determine whether the new method is better than the old one. These "control" groups are indispensable to the success of research and advancement in both medicine and elementary education.

Can we have controls in public welfare research? There would seem to be no good reason why we should not attempt to design research projects where controls are needed. Writing about controls in sociological research, which in its practical problems for the researcher closely resembles public welfare research, Chapin says:

"Control of social conditions is obtained not by manipulating people or by exerting any physical force on persons. The control is obtained by *selecting* for observation two groups of like individuals, for example, individuals of the same income bracket, the same occupational class, the same chronological age, the same size family, the same intelligence quotient, etc. (by matching on these attributes). Then one group, called the experimental group, is given treatment, or receives some social program, or is subjected to some assumed and uncontrolled natural force (F) in the environment, while the other group, called the control

group, is denied this treatment, program, or force (F). Observations or measurements on a sociometric scale are then made on each group at some beginning date (before) and again at the termination of a period of months or years (after). Finally, comparative changes in the mean measurements at each date are noted. If the change in the experimental group is of a magnitude that could occur very infrequently as a fluctuation of random sampling, whereas the change in the control group is of a magnitude that may occur frequently as a fluctuation of random sampling, we conclude that the change in the experimental group is *probably* an effect of the treatment, social program, or assumed natural force (F) in the environment. In this way experimental design is a form of controlled observation operating by the agency of selective control of conditions which for purposes of observation it is desirable to hold constant. But no proof can be accepted short of confirmation of the results by repeating the study under like conditions.”<sup>1</sup>

**Ex Post Facto Experimentation.** This concept was invented by Chapin to characterize a study which starts at the end of a period of time and attempts to go back through the preceding months or years, following an experimental design, for the purpose of finding an answer to a question about some program or line of action.<sup>2</sup> Many studies in the public welfare field are of this type, though few of them are designed with sufficient care. Studies of an administrative policy or procedure are usually undertaken after the fact, and usually they are not planned at the time the policy or procedure is instituted. Surveys which rely upon case records for the data involved in serving clients belong to this group, but they rarely utilize controls, because they are testing the fidelity of the agency in performing its professed duties rather than attempting to measure the effects of treatment on the client.

This type of project will be illustrated by a study, cited by Chapin, which was done by Helen F. Christiansen.<sup>3</sup> The hypothesis which this study was intended to test was this: “A greater degree of progress in high school leads to a correspondingly higher degree of economic adjustment in the community.” The study was based upon the high school records and later community experiences of 2,127 students who left the high schools of St. Paul, Minnesota,

<sup>1</sup> F. Stuart Chapin, *Experimental Designs in Sociological Research*, p. 29. New York: Harper & Brothers, 1947.

<sup>2</sup> *Ibid.*, Chapter V. See also Ernest Greenwood, *Experimental Sociology: a Study in Method* (Columbia University Press, 1944), Chapter IV, for a critical discussion of the “ex post facto experiment.”

<sup>3</sup> See Chapin, *op. cit.*, pp. 99ff.

in 1926. Their careers were followed through 1935, a period of nine years during which the graduates and the non-graduates who dropped out of high school in 1926 could make economic adjustments. Only one dependent variable—economic adjustment—was to be considered, but many other factors were likely to affect this dependent variable. The experimental problem was to hold constant the more important of these. It was decided to match each graduate with a non-graduate drop-out so that they would have the same chronological age, sex, nationality of parents, father's occupation, neighborhood status, and average high school grades. Obviously many of the 1,130 graduates and the 997 drop-outs would have to be discarded because of the impossibility of matching. Exact matching was finally attained for 145 pairs with respect to sex and parental nationality, but on the other factors control had to be obtained "through the correspondence of frequency distributions on each factor."<sup>1</sup>

This reduction in the number of cases in the sample is the price which always must be paid in this kind of research. However, reduction in size of the sample is offset in large measure, if not entirely, by the increase in homogeneity of the cases. The results of the study showed a small but steady improvement in the economic adjustment as the number of years of high school completed increased. Certain other non-economic, dependent variables were examined, and it was found that steady improvement in voting practice and community interests and additional education went with increased years in high school. The existence of a control group with which to match members of the experimental group (the high school graduates) was the critical condition for achieving these results. Chapin says that, while the differences are not large and in some instances are not statistically significant, "The important point is that they are consistent and in the same direction. . . . Our opinion is unequivocally that small differences that are corroboratory and in the same direction are as important as differences that are large and statistically significant."<sup>2</sup>

It should be obvious that this type of research project lends itself to many problems in the public welfare field. A policy which has been in operation over a period of years can be studied by this

<sup>1</sup> *Ibid.*, p. 101.

<sup>2</sup> F. Stuart Chapin, *Experimental Designs in Sociological Research*, p. 104: New York: Harper & Brothers, 1947.

method, regardless of whether or not such a study was contemplated at the time of its promulgation. Likewise, a method of procedure or a social work method may be studied as an "ex post factor experiment."

**The Projected Experiment.** Nevertheless, the experiment after the fact almost inevitably involves "self-selection" by the cases, which may obscure the results. As Greenwood points out, the students who finished high school may have done so because they possessed a factor X which would also explain superior economic adjustment.<sup>1</sup> Graduation from high school may have been an effect, just as economic adjustment was an effect, of factor X. Consequently, the results of a project, or experiment, which proceeds from a cause in the present to some future effect or effects may be better defined. Furthermore, means of recording the relevant facts as they appear become an integral and important part of the experimental design, and we know the members of the experimental and control groups who start the experiment. Some will drop out through death or other cause, if the experiment is carried on through a period of time, but the number who drop out will be known, because the original number and the finish number are known. In the ex post factor design, only the number who finish is known. Consequently, the important fact of the number who started is lost or may be lost.<sup>2</sup>

The projected experiment, then, is designed to begin now and to be concerned with certain specific cases. If the aim is to observe changes through time in an experimental group, then records will be kept to show the sequence of change. If the aim is mainly descriptive and is directed at establishing differences at the present time of two groups which have been and are exposed simultaneously to presumptive causal factors which differ, the time element is eliminated.

The time element is often an important kind of situation in public welfare services, as an illustration of it will show. In 1946 Warren P. Phelan undertook to study the relative level of living of a sample of families in a public housing project and a matched sample in an adjacent slum. A pair of families matched on the following points: (1) size of the family; (2) education of both husband and wife; (3) age of husband and wife; (4) family income; (5) occupation of husband and wife; and (6) employment status. The Social Status

[<sup>1</sup> *Op. cit.*, pp. 126ff.

<sup>2</sup> See Greenwood, *op. cit.*, Chapter IX.

Scale and the Social Participation Scale, developed and standardized by Chapin, were used by Phelan. Thirty-two families were finally matched on the six characteristics and were utilized for the study. The differences between the two groups were statistically significant on both scales as a whole. Phelan obtained certain additional information regarding occupancy per room, amount of rent for comparable space, and the average cost to relief agencies for rent. In all cases the differences were significant and were favorable to the public housing estate. The original sample was taken at random in both the housing estate and the slum area and constituted about 5 per cent of the families in each of the areas. Hence the results of the analysis of the highly homogeneous paired cases, though small in number, are probably a reasonably good representation of the general contrast in level of living of the people in the two areas.<sup>1</sup>

This contemporaneous type of "projected experiment" cannot reflect a sequence of changes through time, because the condition of the families in a particular month was taken. The housing estate families had lived in their good houses several years, and the slum dwellers had lived in the slum houses several years. No attempt was made to show that housing *caused* the differences: the differences were facts of observation and were determined to be typical of the two groups. The researcher did not invent the situations, but he controlled the matching criteria and the forms of the schedules. Whether the study should be called an experiment or simply a project matters little. This kind of project or study or experiment with groups reasonably analogous to the concept of "experimental group" and "control group" can be useful in public welfare administration.

**Precision Control and Frequency Distribution Control.** In the illustration above, size of family and employment status in the two groups were matched precisely. A family of four was matched with a family of four, and an unemployed head of family with another unemployed head of family. But in the case of education, age, and occupation, matching was by "frequency distribution control." Husband and wife in the two groups were not exactly the same age, but their ages fell within a five-year class-interval. Specific occupations were not identical, but the two heads of families were matched, both being skilled workers or unskilled workers.

<sup>1</sup> From *Does Good Housing Pay?* by Warren P. Phelan, Master's thesis submitted to the faculty of the School of Applied Social Sciences, Western Reserve University, 1947. Summarized and published by the Regional Association of Cleveland, Publication Number 20, 1948.



Chapin undertakes to demonstrate that precision control results in much sharper distinctions between the experimental and the control groups than does frequency distribution control. In the Christiansen study, precision control, by which identical individual matching is achieved, shows that the differences between graduates and non-graduates are greater than they are by less precise methods of matching and are still more marked in comparison with the results of a random sample. That is, the achievement of a high degree of homogeneity in each group by precision control has shown more effectively the relation of high school graduation to economic adjustment.<sup>1</sup>

However, something is lost by precision control, especially if the experimental group and the control group are paired on a large number of characteristics, say six to twelve. The immediate loss is in number of cases, and the result of this loss is another loss of much information. Greenwood remarks, in discussing Chapin's work, "the rule is invariably a serious shrinkage, so that we almost never end up with the numbers which were at our disposal after the first round of matching. There would be little objection to this sort of decimation were it not for the fact that the size of the groups with which we work is a very important factor to be considered in the evaluation of experimental results. Hotelling says that as the size of our sample increases, the plausibility of our hypothesis may increase or decrease. But one thing is sure to increase, the *amount of information* at our disposal."<sup>2</sup>

Additional information may be very important to the particular problem in hand. For example, if it were desired to toss 12 pennies into the air until all of them fell with heads up, it is probable that this event would occur only once in 4,096 tosses. Hence, if it is important to the study of a problem that such unusual events be included in the sample, a large sample is clearly necessary. If the technique of the null hypothesis is to be employed, Fisher says, "By increasing the size of the experiment, we can render it more sensitive, meaning by this that it will allow of the detection of a lower degree of sensory discrimination, or, in other words, of a quantitatively smaller departure from the null hypothesis."<sup>3</sup>

Hence judgment based upon wide experience with the field of

<sup>1</sup> *Op cit.*, p. 118.

<sup>2</sup> Ernest Greenwood, *Experimental Sociology: a Study in Method*, p. 82. New York: Columbia University Press, 1944.

<sup>3</sup> *Op. cit.*, pp. 21, 22.

investigation enters to determine these important aspects of design. Should the sample be chosen at random in each group and no matching of cases be undertaken? This would make choice of a large sample easy. Should the sample be chosen at random followed by the pairing of cases from the experimental and control groups on one, two, or three characteristics? This might result in a smaller final sample than the first, but it would still be large enough for an assumption of representativeness. Or should the number of matched characteristics be relatively large, resulting in a very small final sample with high homogeneity? The choice among these possibilities is determined by the nature of the hypothesis which is to be tested.

### THE INDEX PRINCIPLE

Many of the factors in which public welfare workers are most interested cannot be measured directly. Most standards of quantity and quality, which are recognized, are relative. The comparative achievement of public assistance case workers, the rank of local public welfare departments, and the cause of different average public assistance payments are complex and are the result of multiple factors. These factors have to be selected on the basis of experience and systematic case study; then tests of validity and reliability have to be applied to the tests, scales, or direct measures of the factors. The combined effect of a number of factors and the relevance of each factor to the effect to be evaluated then has to be measured. That is the function of the index principle. Kurtz and Edgerton define an index thus: "An index is one or a set of measures for one or a group of units which is used to measure indirectly the incidence of a characteristic that is not directly measurable."<sup>1</sup>

Indexes have been most widely used by economists. They have been concerned for many years with changes in price and production over periods of time, and they have called their measures of these phenomena "index numbers." But the concept of an index is much broader. As indicated by the above definition, the principle of index can be applied to a wide variety of phenomena which are not directly measurable. The result of applying an intelligence test, an attitude scale, or a social-status scale is an index useful for differentiating and rating the subjects to which it is applied. This

<sup>1</sup> Albert K. Kurtz and Harold A. Edgerton, *Statistical Dictionary of Terms and Symbols*. New York: John Wiley & Sons, Inc., 1939.

index is composed of several or many factors which have been taken into account and combined. Any one of the factors might be stated in such a way as to be a simple but incomplete index of the characteristic which is to be measured indirectly, but only the composite index derived from taking into account all of what are adjudged to be the significant factors can give the best measure of the characteristic. Some of the problems of index-making will now be discussed.

**Determination of Weights.** "Weight" means relative importance. In the *Index of Consumer Prices* computed by the United States Bureau of Labor Statistics, the mean price of men's shoes at a given time is multiplied by a figure which represents their quantitative importance in the family budget. The price is weighted by the proportion of the family budget used for men's shoes. In a similar way, the hundreds of other mean consumer commodity prices are weighted. The weights have to be determined initially by an extensive survey of how consumers spend their money. Then for a period of years they are corrected occasionally by various devices. When it is believed that the system of weights being used is seriously out of line with the facts, a new national study has to be made. This is a simple, though expensive, method of constructing an index number. We want to know how prices change for many reasons, and we say that the importance of price changes is related to the importance of the particular commodity in the family budget. Hence the mean price of each commodity for a given date is multiplied by its weight, and the sum of these products is divided by the sum of similar products for the "base period," which is a statistical norm. The result of this operation is to give an index number which shows relative change in consumer prices and which is computed by the method of weighted aggregates.

But in general this procedure cannot be followed in computation of public welfare indexes which have significance. We are concerned with many matters which cannot easily be expressed in equivalent dollars and cents. An index of the quantity of services for some purposes could be constructed by the method of weighted aggregates,<sup>1</sup> but it would probably be impossible to develop an index for comparing the relative effectiveness of local public welfare departments or the relative quality of public assistance case workers' performances by this method. However, there are other ways of

<sup>1</sup> See "Indexes of Public Welfare Work in Indiana" by R. Clyde White in *Social Forces*, December, 1929, pp. 246-252.

combining weighted series into an index which are equally effective and are better adapted to factors lacking monetary equivalents.<sup>1</sup> An obvious method is the average of weighted relatives. Indexes for each series are computed and expressed as percentages (relatives) of the base (not necessarily time series). The relative number of each series is multiplied by its weight, and the sum of the weighted relatives is taken to obtain the composite index.

The major technical problem in dealing with non-monetary characteristics is to determine a realistic weighting system. Suppose the problem is to combine a number of significant factors into a composite index for ranking the town and city departments of public welfare in Massachusetts according to some criterion of effectiveness. Assuming that such a criterion can be identified and defined, such factors as the following have to be counted or measured: qualifications of social work staff, ratio of social work staff to clerical staff, proportion of family budgets meeting the state standards, amount of administrative work done by the board, and so on. What is the relative importance of staff qualifications and the ratio of social work staff to clerical staff? Sometimes the coefficients of the terms in a multiple regression equation can be used as satisfactory weights. Some objective means of arriving at a judgment on this question is necessary and constitutes a part of the research problem in every project which requires a composite index.

**Standard Scores.** Another device for combining factors with different kinds of units is the standard score. This is the ratio of the deviation of individual units from their mean to their standard deviation. The result is a number of abstractions for the various factors which can be added for the composite. This device does not eliminate the need for weights, but it does remove the necessity of computing relatives. The standard scores are related to their means and may be weighted directly.

If no weighting is necessary, that is, if each factor can be assumed to have equal importance and can be given a weight of 1, then the standard score device becomes an easy method of combining simple indexes into a composite index. Walter I. Wardwell used this method for computing an "Index of Social Need in 69 Communities" to be used in connection with various social and health studies of the Greater Boston Community Survey.<sup>2</sup> Twelve factors—

<sup>1</sup> See any standard text on statistics.

<sup>2</sup> Summarized in the report of this Survey, *op. cit.*, p. 145.

including infant mortality, tuberculosis new case rate, juvenile delinquency rate, and old-age assistance case rate—for each of the 69 communities were combined. The index ranged from 66 to 164, in which the higher the index, the greater the need. The tests of validity applied proved the relevance of the factors selected. If, for example, it were believed that infant mortality has greater diagnostic value than the per cent of crowded households, then a suitable system of weights should have been used. For the practical uses to which this index was put, this did not seem necessary.

**Control of a Predetermined Standard of Quality.** The concept of "quality control" was developed by industrial research, and the best known of the pioneers is W. A. Shewhart, who formulated the basic theory and methods about twenty years ago.<sup>1</sup> It was important to a manufacturer to turn out a given product which varied from a defined standard, as used in sales arguments, no more than a stipulated amount. If the customer could not depend upon reasonable uniformity of product, he was likely to look for another supplier who could be relied upon for suitable technical standards of his product.

It soon became apparent that techniques of quality control had wider application. Not only is high and relatively uniform quality of a manufactured product important to the consumer, but organizations which perform services have or should have minimum standards of service which need to be maintained. Rice has pointed out that the techniques of quality control can be applied to office and financial management in business.<sup>2</sup> He says that it is generally believed that quality control is one tenth statistics and nine tenths engineering judgment. He agrees with this but adds that, if "executive judgment" is substituted for engineering, the dictum can be applied to the non-manufacturing problems of business administration. He then gives an application of the techniques to the control of overtime in a factory.

It seems to the present writer that the techniques of quality control have wide applicability in public welfare administration. Obviously, standards of minimum quality in executive management, office management, and service to clients should exist, and it should

<sup>1</sup> Walter A. Shewhart, *Economic Control of Quality of Manufactured Product*. New York: D. Van Nostrand and Co., Inc., 1931; The Macmillan Company, 1932.

<sup>2</sup> William B. Rice, "Quality Control Applied to Business Administration," in *Journal of the American Statistical Association*, June, 1943, pp. 288ff.

be known in what degree the standards are being maintained from month to month or from quarter to quarter. But standards will have to be defined and simple or composite indexes developed before control charts can be created to show degrees of quality. The state audit of local public welfare agencies gives reasonable assurance that money is spent according to law, and this is control of one kind of quality, namely, honesty; and perhaps, in some measure, of knowledge of the function administered. But it tells nothing of the relative quality of service to clients in two different towns or counties. If the standard for medical care is to see that every sick client knows about the facilities for medical care and is given such help in securing them as is necessary, then control of quality of performance with reference to this standard calls for continuous sample studies of case records by some staff member responsible directly to the executive and the board. Such techniques of control would give accurate and objective means of supervising the supervisors, and it would give the supervisors objective data for determining how far below the standards their case workers fall. A more difficult job is involved in defining a standard for "case work services" which can be identified and discussed with clarity in precisely and discreetly defined terminology.

Much experimentation with defining standards and developing indexes is necessary before quality control in public welfare services can attain a position comparable to that which it has attained in business. But the public dollar will be spent more effectively when boards and administrators decide to spend some of their money on this kind of "administrative research."

**The Survey and the Review.** The survey is usually conducted by an outside group. In the case of official public welfare surveys, it is likely to partake in some respects of an "investigation." The review is normally done by some higher level of administration to which the local agency is in certain respects subordinate. The survey and the review are introduced here because they in fact do some of the preliminary work which could lead to composite indexes. They assume certain standards of performance on the part of management and on the part of the social work staff, and they examine the records of performance with reference to the standards. The result is a series of judgments about the attainment of or deviation from economic standards, health service standards, case-work standards, office management, the effects of the operation of laws, and so on. These

are simple indexes which have value for quality control in so far as standards are objectively stated and pertinent facts relating to them are available. They are administrative tools which have immediate use for the superior agency or for the executive of the operating agency. For other purposes, the next step would have to be taken to the composite index, and it may often happen that the simple index, as mentioned here, is in fact a complex of factors which need separate study and rational combination.

### MEASUREMENT OF RELATIONSHIP

After identification of facts and their description, the end of scientific research is to find significant relationships and to determine the nature of them. Public welfare research is no exception. If relationships can be identified, described, and measured, cause and effect have been to the same degree determined. If these are known, control of events is intellectually possible, and practically it is one step nearer. The discovery of significant relationships among factors in the public welfare services may serve only to enhance understanding, because control is either undesirable or impracticable, but it may narrow the area of trial and error in one of the most important fields of public service. It is therefore surprising that public welfare agencies do not spend much more money on basic research than it has ever occurred to the administrators or the legislators to spend. The establishment of relationships is a problem of basic research which has immense practical usefulness in improving quality of service and in getting more for the taxpayer's dollar.

No effort will be made here to describe in detail methods for the measurement of relationship, but brief reference is made to them, and one illustration is cited.

Correlation analysis is the best known method of determining the degree and the direction of relationship. It may be employed to study the relationship between two quantitative variables or between one such dependent variable and a number of independent variables; or it may be used to segregate the relative effects of each of the independent variables on the dependent variable when the others are "held constant." While correlation analysis is sometimes used with non-quantitative variables, this is theoretically a misuse of it and results are less certain.

Analysis of variance is not so limited. It is a newer method for the study of relationships, and it can be applied to one quantitative

characteristic and one or more non-quantitative characteristics (analysis of covariance is applicable to the situation of two or more quantitative characteristics and one or more non-quantitative characteristics). This method of studying relationship and significant differences arose out of biological research, but it has since been profitably used in educational research. Because of the fact that such a large proportion of the characteristics needing study in public welfare and other social work are non-quantitative, the analysis of variance and covariance offers a very promising tool for the study of our problems. Little use has so far been made of it.

The illustration can be described briefly. Arthur H. Jette undertook to use analysis of variance in the study of "the significance of differences in average monthly general relief, aid for the aged, aid to dependent children, and aid to the blind payments by Ohio counties during 1946"<sup>1</sup> (aid for the aged is administered by the state). Average relief payment was the quantitative variable, and geographical sub-area was the non-quantitative variable. The principal conclusion drawn from this very careful study was stated thus:

"When Ohio counties are grouped into four sub-areas, using rural plane of living as a criterion (Lively and Almack's Classification), the sub-areas differ significantly among themselves in the size of monthly payment per case for the Aid to Dependent Children and Aid to the Blind Programs, and in the size of monthly payments per person under the General Relief Program. The payments become higher as the rural plane of living rises. Average payments per month under the Aid for the Aged Program show similar rise between sub-areas, but this difference between sub-areas cannot be considered significant in the light of the total variation within the state. The differences between classes appear most significant for Aid to the Blind and Aid to Dependent Children, and somewhat less significant for General Relief."<sup>2</sup>

It is reasonable to infer from this factual summary that the sizes of average payments are positively associated with the rural plane of living in Ohio in all forms of assistance except old-age assistance. We can go further and say that the greater uniformity in average payments in counties for old-age assistance is probably related to central control exercised from the State Department of Public Welfare. (Whether this is good or bad is not determined by this study.)

<sup>1</sup> *Analysis of Variance of County Public Assistance in Ohio*, by Arthur H. Jette, Master's thesis submitted to the School of Applied Social Sciences of Western Reserve University, May 6, 1948.

<sup>2</sup> *Ibid.*, p. 39.



Such conclusions would have been mere conjectures without the kind of analysis of the data which Jette has given.

### QUANTIFICATION OF SOCIAL WORK DATA

Some of the most important social work data are difficult to identify precisely, and this early step in research is necessary for measurement of quality of work by case workers or group workers or degrees of response (*i.e.*, degrees of quality) to a program. Hence, just as in psychology, in much of sociology, and, in some measure, in biological sciences, methods of "quantifying" the variables of behavior and performance have to be invented and tested for reliability and validity.<sup>1</sup>

A variety of experiments in classifying social work data is needed, and perhaps the most important, as well as the most difficult, methodological problem in social work research is quantification of such data by means of measuring scales. By such means degrees of quality can be defined and measured.

### QUESTIONS

1. Find the report of some public welfare study and describe the design of the "experiment."
2. What is meant by cause-and-effect relations?
3. How would you set up an "ex post facto experiment" to determine what happened to one group of general relief cases which indicated and received medical care and another contemporaneous group which indicated but did not receive medical care?
4. Outline a plan for construction of a composite index of public assistance case-work service.
5. Formulate a standard of performance for a public welfare office staff, and indicate how you could maintain quality control.
6. State some important public welfare problem which might be studied by the method of variance or covariance.

<sup>1</sup> For a recent piece of research involving this technique in a children's institution, see Ruth Lehrer, *Changes in the Personality and Adjustment of Children during Institutional Treatment*, Ph. D. dissertation, 1950, Department of Psychology, Western Reserve University. Also, for a critical review of special problems of research in social work see Margaret Blenkner, "Obstacles to Evaluative Research in Case-work: Parts I and II," *Social Casework*, February and March, 1950.

## APPENDIXES



## APPENDIX A

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### TWO CASE SUMMARIES

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**Case One.** During the 20 years that the following case was active with the public welfare agency, the relationship between the social worker and the family had been destructive and had cost in cash relief the very considerable sum of \$13,404.

"Relief was given then, but there is no information in the record about the family until 1933. An entry in 1934 says, 'I attempted to have man work or report each day. He got a doctor's certificate which said he was unable to work. I also found out that he had tuberculosis and a venereal disease. I think it just as well to keep him out of the office.' Thus the worker records that the agency will have no constructive relationship with the man. Nothing would be done by the agency about the family's dependency, which after 6 years must have been approaching a chronic condition. No record is made of any plan to treat the ailing father.

"Relief drifted along until October, 1937, when worker learned the daughter had obtained work in a candy factory. Instead of seeking an interview with the daughter and giving her encouragement in this step toward independence, the agency reduced the grant arbitrarily without consulting either mother or daughter. Only one entry in record in 1938, though agency had paid out \$737.88 to family. In November, 1939, daughter voluntarily reported to agency she was earning \$2.59 every Saturday. No help was offered the girl to secure vocational adjustment. By autumn, 1940, girl was earning \$14.00 a week and the mother \$10.00 a week. In February, 1941, mother gave up job because of painful varicose veins; no mention of medical help so she could resume work. Daughter laid off same month; agency gave no help in finding another job. In another month girl found job but failed to report it to agency—case marked 'closed' but relief continued!

"From here on there is a futile battle between the agency and the client. The more punitive the agency became toward the family, the more adept they became in asserting their need for relief and in

their ability to get it. The agency cultivated their growing habits of dependency. Daughter, capable of finding good jobs, eventually would not permit agency to verify her wages. From October, 1942, to January, 1943, closing case was recommended 5 times, but each time daughter managed to get herself laid off or got sick so that relief on an "emergency" basis was continued. As late as June, 1946, worker found girl was working in gift shop and notified her to come in and give name of employer, under threat that all relief would be cut off but rent would be continued if she did report. Relief was continued.

"The father died February 10, 1946, but the social history contains no mention of this. Social worker showed no interest in the emotional and financial adjustments which this event caused, though a few days later worker 'checked insurance companies today.' In November, 1946, a note was made in record that girl had been seen at the neurological clinic of a Boston hospital, but no effort to learn from hospital what condition was or what diagnosis had been made. Family still receiving aid in 1948."<sup>1</sup>

**Case Two.** The second case shows what can be done when even an untrained social worker uses common sense and the help of a qualified case worker in her work with a family whose problems were too great for them to solve unaided.

"When the case was opened, the father was in a tuberculosis sanatorium. During this period agency placed much emphasis upon health and nutrition and helped the mother to think of these correctly and to assure them to her family. A public health nurse assisted with health matters: children were sent to camps where they would get preventive health attention and mother was sent to a "Mother's Rest" for several weeks each summer. This was to forestall any further development of tuberculosis in family. Social worker had help of a skilled case worker of local Social Service League. Mother was given help to find a better house. One daughter had shown musical talent, and a scholarship at Boston Conservatory was obtained for her. While husband in sanatorium, every effort made to preserve family unity; agency helped mother get transportation to visit husband once a week; budget increased slightly to give him spending money.

"When husband came home, it was clear that he was emotionally disturbed. Marital troubles began soon. Worker recognized psychiatric condition of husband and arranged for treatment and for vocational training for such office work as his health would permit him to do. Psychiatric problems of husband so severe that he finally left home, and divorce followed in time. Agency disappointed at this outcome

<sup>1</sup> *Report on Public Welfare Services*, Greater Boston Community Survey, 1949, p. 13.

but continued to give casework service and financial aid. Woman would not let man come to house to visit children; so agency took children to visit him. He made gifts to children and retained a relationship with them. Agency remembered birthdays of all members of family.

"The mother has found satisfaction in earning a small part of her own expenses. She works a few hours a week, decreasing the amount of her A.D.C. grant by \$34.66 a month."<sup>1</sup>

The saving in money to the community is not a primary consideration here: the important matter was that help was offered in a way that the family could use it and develop a feeling of security and self-confidence. Nevertheless, the monetary saving in this instance has importance. It shows that the social worker could help the mother to help herself in a material way but also in this process to develop independence of attitude and to stimulate wholesome effort on the part of the family to provide for themselves. The case is intended to illustrate how case-work service helps people in need by all the ways mentioned by Miss Lowry (summarized in Chapter VI), and how it saves money for the taxpayer in the long run. Both of these are reasonable aims of public social work.

<sup>1</sup> *Op. cit.*, pp. 11 and 12.

## APPENDIX B

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Note: The titles in the bibliography have been chosen for two reasons: first, they are representative of current literature in the field of public welfare; second, they should in most cases be easily accessible to the student. They are illustrative only.

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